

Mark P. Mears, legislative chairman; Austin Woman's Club, Austin Station, Chicago, by Mrs. J. Marc Fowler, president, and Mae A. Zimmerman, chairman resolutions; and River Forest Woman's Club, River Forest, Ill., urging the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

4572. Also, petition of O. R. Henson and 13 others, of Quincy, Ill., urging the passage of the bill providing retirement of civil-service employees; to the Committee on Reform in the Civil Service.

4573. Also, petition of the Prairie Club of Chicago; L. F. Van Ness, of the Gardiner B. Van Ness Co., Chicago; Miss Mary E. Adkins, general secretary Young Woman's Christian Association, Rock Island, Ill.; and R. B. Mennie, Chicago, urging defeat of House bill 12466 and the amendment of the Federal water power act, so that it shall not apply to national parks and monuments; to the Committee on Water Power.

4574. Also, petition of the American Bankers' Association, by Mr. L. D. Woodworth, protesting against tax exemption; to the Committee on Ways and Means.

SENATE.

FRIDAY, December 17, 1920.

(Legislative day of Thursday, December 16, 1920.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harrison	New	Spencer
Beckham	Heflin	Overman	Stanley
Brandeggee	Henderson	Page	Sterling
Capper	Hitchcock	Phipps	Sutherland
Chamberlain	Kendrick	Pittman	Thomas
Colt	Kenyon	Polindexter	Townsend
Cullbertson	Keyes	Pomerene	Trammell
Dillingham	Kirby	Ransdell	Walsh, Mass.
France	Knox	Robinson	Warren
Frelinghuysen	McCumber	Sheppard	Watson
Gerry	McKellar	Simmons	Wolcott
Gronna	McLean	Smith, Ga.	
Hale	McNary	Smith, S. C.	
Harris	Moses	Smoot	

Mr. SMOOT. I desire to announce the absence of the Senator from Montana [Mr. WALSH], the Senator from Minnesota [Mr. NELSON], the Senator from Kansas [Mr. CURTIS], and the Senator from Maine [Mr. FERNALD], who are in attendance upon a committee meeting.

Mr. HARRISON. I wish to announce the unavoidable absence of the Senator from Arizona [Mr. ASHURST], and also the absence of the Senator from South Dakota [Mr. JOHNSON] on account of illness.

The VICE PRESIDENT. Fifty-three Senators have answered to their names. There is a quorum present.

DOCUMENTS IN DEPARTMENT OF INTERIOR.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Department of the Interior, transmitting, pursuant to law, a statement showing documents received and distributed during the fiscal year 1920, which was referred to the Committee on Printing.

CREDENTIALS.

The VICE PRESIDENT laid before the Senate a certificate of the governor of Pennsylvania certifying to the election of BOIES PENROSE as a Senator from that State for the term of six years, beginning March 4, 1921, which was read and ordered to be filed, as follows:

IN THE NAME AND BY AUTHORITY OF THE
COMMONWEALTH OF PENNSYLVANIA,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November, 1920, BOIES PENROSE was duly chosen by the qualified electors of the Commonwealth of Pennsylvania a Senator from said Commonwealth to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1921.

In testimony whereof I have hereunto set my hand and caused the great seal of the State to be affixed, at the city of Harrisburg, this 7th day of December, in the year of our Lord 1920, and of the Commonwealth the one hundred and forty-fifth.

[SEAL.]
By the governor:

WM. C. SPROUL,
Cyrus E. Woods,
Secretary of the Commonwealth.

PETITIONS AND MEMORIALS.

Mr. McLEAN presented petitions of the Wethersfield Foreign Missionary Society and Woman's Christian Temperance Union, of Wethersfield; sundry citizens of Romford; sundry citizens of Ridgefield; and sundry citizens of Suffield, West Haven, and Connecticut, all in the State of Connecticut, praying for the enactment of legislation for the public protection of maternity and infancy, which were ordered to lie on the table.

He also presented a memorial of Westport Teachers' League, of Westport, Conn., remonstrating against the enactment of legislation commercializing national parks for power plants and other purposes, which was referred to the Committee on Commerce.

Mr. HALE presented a petition of the members of the Kennebec County Farm Bureau, of Augusta, Me., praying for the passage of the so-called French-Capper truth in fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of members of the Institute Jacques-Cartier Society, of Lewiston, Me., remonstrating against the enactment of legislation to create a department of education, and for other purposes, which was referred to the Committee on Education and Labor.

Mr. HARRIS presented a memorial of the Carpenters Local Union No. 1927, of Atlanta, Ga., remonstrating against the enactment of legislation repealing the Chinese exclusion act, which was referred to the Committee on Immigration.

He also presented a resolution adopted at the annual convention of the Episcopal Church in the Diocese of Georgia, in favor of the enactment of legislation establishing a Federal censorship of motion-picture films, which was referred to the Committee on Education and Labor.

Mr. PAGE presented a petition of the women of the Autonoee Club, of St. Albans, Vt., praying for the enactment of legislation for the protection of maternity and infancy, which was ordered to lie on the table.

COPPER RIVER & NORTHWESTERN RAILWAY CO.

Mr. THOMAS, from the Committee on Finance, to which was referred the bill (S. 551) for the relief of the Copper River & Northwestern Railway Co., reported it without amendment and submitted a report (No. 668) thereon.

JOINT COMMITTEE ON NAVAL BASES.

Mr. BALL. I ask unanimous consent to report from the Committee on Naval Affairs a joint resolution extending until January 31, 1921, the time within which the special joint committee created by the naval appropriation act approved June 4, 1920, is required to make its report to the Congress of the United States, and I ask for its immediate consideration.

Mr. SHEPPARD. The consideration of this measure will not interfere with the pendency of Senate bill 3259?

The VICE PRESIDENT. The Chair understands that the time has expired to make a report and it is simply a request that it be extended to the 31st day of January. If there is no objection, it will be passed in a moment.

Mr. SHEPPARD. Very well.

The joint resolution (S. J. Res. 227) extending the time within which the special joint committee appointed to investigate the advisability of establishing certain naval, aviation, and submarine bases in the United States is required to make its report to Congress was read the first time by its title, the second time at length, and considered as in Committee of the Whole, as follows:

Resolved, etc., That the time within which the special joint committee to investigate the advisability of establishing a naval base on San Francisco Bay; a deeper channel to Mare Island Navy Yard; an aviation base at Sand Point, Wash.; submarine bases at Los Angeles, Calif., and Port Angeles, Wash., which was created by the act entitled "An Act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920, is required to submit its report to the Congress of the United States, is extended to January 31, 1921.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 4662) granting a pension to Matilda Lucas; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 4663) granting an increase of pension to Fred F. Harris (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 4664) to amend the first paragraph of section 20 of the act of Congress approved July 17, 1916, known as the Federal farm-loan act, as amended by the act of Congress approved April 20, 1920; to the Committee on Banking and Currency.

By Mr. HITCHCOCK:

A bill (S. 4665) to amend section 7 of the Federal reserve act; to the Committee on Banking and Currency.

By Mr. SMITH of Georgia:

A bill (S. 4666) to amend section 13 of an act known as the Federal reserve act, approved December 23, 1913; to the Committee on Banking and Currency.

By Mr. ROBINSON:

A bill (S. 4667) granting certain lands in Hot Springs, Ark., to the Leo N. Levi Memorial Hospital Association; to the Committee on Public Lands.

By Mr. KNOX (for Mr. PENROSE):

A bill (S. 4668) for the relief of Cecilia Barr; to the Committee on Claims.

A bill (S. 4669) for the retirement of certain emergency officers of the Army; to the Committee on Military Affairs.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the amendment of the Senate to the bill (H. R. 1865) for the relief of the Baltimore Dry Dock & Ship Building Co., owner of a dry dock at Baltimore, Md.

The message also announced that the House insists upon its amendments to the bill (S. 643) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia, disagreed to by the Senate, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KAHN, Mr. McKENZIE, and Mr. FIELDS managers at the conference on the part of the House.

ENROLLED JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the joint resolution (S. J. Res. 191) to create a Joint Committee on the Reorganization of the Administrative Branch of the Government, and it was thereupon signed by the Vice President.

PROTECTION OF MATERNITY AND INFANCY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3259) for the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and the several States.

Mr. WARREN. Mr. President, as I understand, when we recessed last night we were considering the so-called Sheppard-Towner bill. If I am right about that, I wish to say that I rise with no small degree of pain, and certainly with no degree of pleasure, in opposition to the passage of the bill at this time in the form in which it is written, for many reasons, but mainly because of the condition of the Treasury.

I feel that the Treasury of the United States needs friends now if it ever did, if this Nation is to remain solvent. I feel it incumbent upon me in performing the duties that devolve upon me with which I have been honored by the Senate to say that in my opinion we are going to be without credit in this Nation, our bonds are going much lower, and we are going to have to pay larger interest upon these certificates of indebtedness than is now being paid, to wit, 6 per cent, unless we are able to retrench very sharply and not branch out in any new lines, no matter how desirable they may be under ordinary circumstances.

The condition of the Treasury is something like this: During the war of course it was easy to obtain funds, because every patriotic, loyal citizen was anxious to support the Government in protecting its honor and credit as well, at home and abroad. They subscribed for funds readily at a low rate of interest, many of them—in fact, I might say almost the majority of them—being compelled to borrow money—I say “compelled” to borrow money, but I would better say that they chose to borrow it—in order to buy the bonds. They have since had to call upon the banks to relieve them, to take the bonds from time to time at a reduction of from 5 to 17 per cent. They have had to dispose of many of them to pay their Government taxes. If you go to New York, or even in this city, or in most any other place, you will find the last payment of taxes, made two days since, was quite largely made by those who had no other funds available and who had to sell their bonds.

In giving in an extemporaneous effort, to quote exact figures down to dollars and cents, is tedious to both speaker and hearers, so I shall deal with round numbers.

During a part of the war period we had almost \$30,000,000,000 of indebtedness, perhaps sometimes more. We had nearly \$4,000,000,000 of certificates at the highest tide. We have now \$24,000,000,000 of funded debt and something over three and one-half billion dollars of floating debt. On that floating debt we are paying largely 6 per cent, which is two or three times as much as we paid immediately after the passage of the bill authorizing the sale of certificates in peace times. When we had occasion to borrow some money we could then borrow it at 2 and 3 per cent upon the certificates.

The Government is now in a position that we all would think unsound for a business man who was borrowing from day to day on the street, selling his paper where he might. The Government now from month to month is appealing to citizens and to bankers to buy these certificates, that it may buy up others.

We had a prosperous year in 1919; nearly everyone engaged in business then made money. Hence when they made their returns for taxation they made liberal returns, and the tax to be collected for 1919 was ample to meet expectations. That, with the help of temporary borrowings, which are being replaced from time to time, has carried us through; but I think every Senator in this body knows that 1920 has not been altogether a prosperous year. It certainly is not expected that thousands and tens of thousands, it might be said millions, who in 1919 reported an ability to pay taxes, and who actually paid considerable amounts, are going to be able for the year 1920 to report more than an even break, and most of them will have to report losses.

I know very well from the information which comes from various directions, particularly as it has come before the Senate since we have assembled, that the live-stock men, the growers of wheat, cotton, corn, and, in fact, the farmers as a class, will lose money, and much money, on the present year's production. Consequently there is no tax to be expected from them.

The Secretary of the Treasury has sent us the regular estimates, excepting, of course, the deficiencies and miscellaneous, which, as we know from information which comes from the departments and otherwise, are going to be huge, and excepting, of course, all such appropriations as this bill and other special bills may carry. Under the regular estimates which we have here the amount called for is \$4,653,856,000. There will have to be added to that half a billion dollars, more or less, for contingencies and for miscellaneous expenditures in the regular lines of governmental business. We know that we can not find funds enough to cover a sum near this five billion or more to be asked for without raising the present rate of taxation, and we must greatly reduce amounts to be appropriated or else increase our present load of United States indebtedness.

This pending bill proposes to create another division or bureau. The bill carries, it is true, for the current year an appropriation for expenses of less than a half million dollars, or \$480,000 to be exact, that still being a very large sum. It does, however, provide for very much larger appropriations for the succeeding years, as follows:

For the fiscal year ending June 30, 1921, an additional sum of \$2,000,000; for the fiscal year ending June 30, 1922, the sum of \$2,400,000; for the fiscal year ending June 30, 1923, the sum of \$2,800,000; for the fiscal year ending June 30, 1924, the sum of \$3,200,000; for the fiscal year ending June 30, 1925, the sum of \$3,600,000; for the fiscal year ending June 30, 1926, the sum of \$4,000,000; and annually thereafter the sum of \$4,000,000.

Passing for a moment the illogical and unsafe method of making appropriations which this bill proposes, by virtue of its attempt to mortgage the future, no matter whether it rains or shines, it is starting us out in a new direction, with big appropriations to continue to the end of time.

I want to ask the Senate not to pass the bill at this time in its present form. I suggest that the bill ought to be committed, in a safe and sane way, to the joint committee which the Senate and the House have provided for, which is to be appointed by the Vice President and the Speaker of the House of Representatives, and which is to study the question of a reorganization of the several branches of the Government, in order to make the best use which we can of the money we appropriate, and to prevent the lapping over of one governmental service with another.

Take the matter at issue. The \$480,000 which the bill proposes to appropriate, of course, is to set up an establishment here in the city of Washington, to employ many clerks and others, with no intention, of course, of accomplishing any

especial benefit elsewhere until we shall have appropriated very much larger sums.

Bearing upon a subject analogous to this, a few years ago we established a Children's Bureau. If I remember correctly—and I paid particular attention to it, because it created a new bureau in the governmental service—the able Senator who was the proponent of the legislation or who had charge of it during the discussion established the fact that it would cost but \$25,000 a year; and he very eloquently gave us a statement of the benefits that would accrue from the enactment of the bill.

Now I ask Senators to observe where that legislation has carried us in the line of appropriations and requests for future appropriations up to this date. Those of us who voted for the measure started with the understanding that it would cost only \$25,000 a year, but for the present fiscal year we have appropriated \$271,040. The sum of \$106,040 of that appropriation goes for salaries of a bureau which we established on a basis of a total cost of \$25,000 a year. Think of it! For the regular salaries alone this year we have appropriated—and the appropriation will be expended—\$106,040. Then under the head of general expenses there is an appropriation of \$85,000, which is largely, of course, expended here. Some of that undoubtedly is for temporary labor.

Now we come to an appropriation which, if the pending bill shall be passed, will involve overlapping. The appropriation for the investigation of child welfare, in addition to the other appropriations, is \$80,000. In God's name, if we are expending \$80,000 for investigating child welfare, are we not mindful of the matter of maternity and the care of the infants?

It will be remembered that last year the other House took great and deserved credit for cutting down the appropriation which had been determined on in an earlier bill, but which failed of passage. Before the original bill became a law we adjourned, and the proposed appropriations were cut down in the regular annual appropriation bill which followed; but even then we gave this bureau \$271,000.

What are the estimates for the Children's Bureau for this year? They are \$654,260, all for the Children's Bureau. They ask an appropriation of \$107,140 for salaries. They also ask for general expenses an appropriation of \$164,250—nearly double what they previously asked—and they also ask for the investigation of child welfare \$382,770.

Do they exclude the consideration of matters affecting maternity when they are asking for an appropriation of \$382,770 for infant care, and so forth? However, Mr. President, that is not enough.

Mr. SIMMONS. Mr. President, I should like to ask the Senator who determines the number of employees of that bureau?

Mr. WARREN. Largely the bureau itself.

Mr. SIMMONS. Are they authorized by the law to do that?

Mr. WARREN. The Senator from North Carolina, I think, is conversant with the law and the situation. The Children's Bureau is under the Department of Labor.

Mr. SIMMONS. Does not the Appropriations Committee recommend appropriations for the salaries of the employees of the Children's Bureau?

Mr. WARREN. To some extent, yes; in the main, no.

Mr. SIMMONS. Does Congress make appropriations for those salaries in a lump sum?

Mr. WARREN. As a matter of law, as the Senator knows, the Appropriations Committee must report and recommend the appropriations.

Mr. SIMMONS. Is the appropriation in the form of a lump sum?

Mr. WARREN. It is largely in the form of a lump sum. We provide what the chief of the bureau shall receive and what some of the others shall receive.

Mr. SIMMONS. Could we not change the law so as to make the salaries statutory?

Mr. WARREN. That is a matter which perhaps is not at issue at the time, but undoubtedly we could do so. There is no question that all of them could be made statutory.

Mr. SIMMONS. I ask the Senator the question with the view of ascertaining if there is not some way by which the Appropriations Committee might eliminate part of that expenditure.

Mr. WARREN. That undoubtedly could be done; but I desire in the brief mention which I make of these matters merely to show what the committee has been required to do. I am willing to say that, as chairman of the Appropriations Committee of the Senate, I have been accused, perhaps on both sides of the Chamber, of too great liberality. I think that charge has been made oftener than the charge that I am penurious or that I have undertaken to cut down too greatly appropriations for any particular activity or department of the Government, and I confess

that, so far as my feelings are concerned, I always like to fall upon the most liberal side within the limits of consistency and safety for the Nation; but I submit that there comes a time when I can not abide my own conscience unless I bring to the attention of this body some of the items for which Congress is called upon to appropriate and to inquire where we are going to land unless we endeavor to coordinate and, as might be said, to reestablish certain governmental agencies. Take the estimate to which I have referred of \$654,260 for the Children's Bureau.

Mr. THOMAS. Mr. President, may I ask the Senator what the original appropriation was when the Children's Bureau was created?

Mr. WARREN. It was \$25,000 for all purposes.

Mr. THOMAS. And how long ago was that bureau created?

Mr. WARREN. I have not looked the matter up, but I should say it has been created within 10 years. Perhaps some Senator present may locate the date exactly.

Mr. THOMAS. Is it not the Senator's experience that nearly all of the bureaus and boards which we create for specific purposes increase their demands upon the Public Treasury?

Mr. WARREN. They do in every particular instance. Every last one of them does it.

Mr. THOMAS. So that, while the board proposed under the pending bill will start out with \$2,000,000 or some such amount, and while the bill authorizes appropriations for a series of years, the extreme of which is \$4,000,000 per annum, there is every probability that with each succeeding year the dimensions of the appropriation will increase.

Mr. WARREN. Our experience in every instance following the creation of a new department or a new bureau or a new governmental activity will prove the absolute correctness of the Senator's observation.

Mr. KING. Mr. President, will the Senator permit an observation?

Mr. WARREN. I yield.

Mr. KING. I think the Senator from Colorado underestimates the amount required by this bill. It starts out with an appropriation of \$2,480,000.

Mr. THOMAS. I used my figures largely for the purpose of an illustration. Of course, there is an appropriation for expenses of \$480,000 a year. Then we add for the first year \$2,000,000 more, and the last authorized appropriation is \$4,000,000, exclusive of the annual \$480,000.

Mr. KING. May I suggest to the Senator from Wyoming in connection with his consideration of this matter that there is now pending a bill offered by the Senator from Iowa [Mr. KENYON]—and that bill has the support, I am told, of the President elect, Senator HARDING—for the creation of a department of public welfare? It would seem to me, if such a department shall be organized, that the subject embraced in the pending bill will come naturally within the purview of that department. In view of the fact that there is to be a reorganization of these multitudinous bureaus and commissions and agencies and instrumentalities and departments of the Government, and in view of the fact that we are to have, if the program of the Republicans is to be carried out, as I understand that program, a department of public welfare, why would it not be the part of wisdom to relegate this matter to the future and consider it in connection with the question of the reorganization of the departments?

Mr. WARREN. Mr. President, the Senator's conclusion is one to which I can agree; but I think the Senators who have served with me here know that I have yet to make the first real political speech on this floor. I have tried to avoid introducing politics and political matters, except in an incidental way, in the consideration of appropriations; and I may say that in the Committee on Appropriations I do not suppose there is one word out of a million of the conversation and the testimony taken in the consideration of these bills that even slants at politics. Therefore, I do not wish to say I either indorse or repudiate what may be said by any person during the excitement of a campaign, or by any candidate, whether he be Republican or Democrat.

As to the proposed department of public welfare, I assume that the Senator alludes to the bill of the Senator from Iowa [Mr. KENYON] now present. I have not had the pleasure of discussing the subject with that Senator. I know that his intentions are of the best, and I believe—and I am only saying this from my knowledge of his understanding and good intentions—that he will expect that that subject will be considered by the joint committee which is to take up all of these matters and coordinate them.

I was about to proceed on that line, when a question was asked, to show the necessity of it.

Having put before you the matter of the \$654,200 that is required this year, \$382,770 of which is for investigation of child welfare, it might be well to say that that is asking for more than twice as much for next year as we have appropriated for the present year. That shows the exceeding interest that there is in the departments, and it shows that this estimate passed through the hands of the Secretary of the Treasury, notwithstanding the observations in his report about the necessity of economy, and so forth. I know that the desire of the Senate is to allow everything that is consistent and safe to such pursuits of human endeavor and human benefit as this bill contemplates; but to show what, in my opinion, should be coordinated, I want to call the attention of the Senate to the fact that this \$654,200 having been estimated, the Committee on Appropriations is powerless to prevent its being voted in here on the floor. The committee may decide that that is too large an estimate; in fact, they must cut some of the many estimates, unless we want to endanger bankruptcy of the Nation.

When we get on the floor with the appropriation bills there are certain, I might say, emotional subjects, certain things that touch our hearts rather than our heads, perhaps, and the committee is considered to be too penurious, and some Senator rises in his place and offers an amendment and states that the amount proposed to be appropriated is under the estimate. That places it beyond any point of order. It places it directly before the Senate for it to vote upon. How easy it is for every Senator to vote on the liberal side of something to which he has not given strict or special attention; and so, as I said before, we have got to look not only to what we have spent, or what we may bring in here in the way of bills, but what is possible to be placed upon each bill before it leaves the body, unless the brake is applied at the proper time and place; and I consider that the proper time and place is here, in Committee of the Whole, now, before the whole Senate.

Proceeding further: We passed a law—I have it here if anyone wishes to read it—last year to establish a Woman's Bureau. This is another branch, but certainly it is along the same lines. We appropriated to start it this year \$8,500 for the salaries of a director and a secretary. Now the estimate comes up for that bureau for \$92,500 for salaries, and also for miscellaneous purposes \$57,500. In other words, while the one above it that I read we more than double, we are asked now to raise this one from \$8,500 to \$150,000. That is more pardonable, because it is a very modest rise compared with some of the others, and we know that it is an institution of great benefit to humanity.

Of course, some of these recommendations come from the women, dear souls, and they come before us not only on our human side of life but as to the part that they are to take in the Government. I happen to live in a State that has had complete woman suffrage for 50 years. I have lived constantly in that State during that period and have voted in every election.

I have not been elected to this body a single time except where I had the support of women the same as men, for they were exactly equal as to suffrage under the laws of Wyoming. It is true that the legislature elected me in the earlier part of my service, as the general election has done since; but women elected the legislature and were sometimes a part of it. So that from every standpoint I should be, as I have been, the constant friend and advocate of women taking a full part in the management of this Government; and it pains me beyond expression that this, among other things, is a matter that it is desirable to halt where it is until those who are, as I might say—I do not want to use the word offensively—forcing us into some action upon this subject now can have the general situation of the Treasury brought before them.

The women of this country, with the men, have been and are patriotic. The women of this country want us to preserve the credit of the country. They do not want to see us go back to the time following the Civil War, when our currency was debased, when our bonds were worth 40 cents on the dollar, when we were, you might say, in the trough of the sea, from the Civil War up to, I think, 1878. Those of us who were in that struggle and who undertook to make their way again in their homes to positions which had closed behind them when they went to war know the difficulties, the privations, and the poverty that were involved. They know the thousands of men—and it worked out well in the long run—who were driven out to other States bordering on the Pacific and in the Great West, some on account of shame because they had to take smaller places, others because of the fact that they could do better there, and others simply from pride, feeling that if they were to starve to death they would rather their bones would be on the broad prairies than among their friends in their old homes.

This Woman's Bureau and this Children's Bureau and this new duty—for it is new as this bill proposes—of taking up this maternity matter all ought to be so coordinated that we will not be having money used from three distinct directions, and there will not be this piling and doubling up of money upon us, and especially not now, when, as I said before, the Treasury is pressed more than at any other date that I can remember since away back in the Civil War times, of which I have spoken. It seems to me that the least we can do is to ask the committee that we have provided for to take up all three of these matters and make them one powerful entity, one that can handle these matters economically and liberally, rather than to go on in the manner that we would under the proposals of this bill.

The House of Representatives, evidently wincing under the galls of these extra and overlapping appropriations, started, as you know, early last session and passed a budget bill. The Senate did the same thing. It met with defeat at the White House. It started again, passed the House, and then was halted here in the tumult of political activity, perhaps I should say, and did not pass. The House immediately provided that all of the bills making appropriations should go before one committee, and that committee was made larger and divided into subcommittees, so that the subcommittees are composed of those who know the affairs of the particular departments or angles that are delegated to them; but in that way it brings them all together finally before a body of men that keep track of all together, so that they may not be troubled in the way that they have been. And yet, having done that much, the House felt it necessary, and proceeded accordingly, to take up the joint committee bill which I have mentioned, which we passed late in the last session, and the House passed it—almost one of the first things—and it is now, I suppose, awaiting the proper signature.

But quite aside from this condition, which forces us to be careful in our expenditures, this kind of legislation is reprehensible. Why are we going to mortgage the future? Why do we undertake to so distribute what we expect in the way of an income over which we shall have no further control? When I say no further control, I know what might be said—that this authorizes but does not appropriate. But Senators who have served on the Appropriations Committee, as I have, and those who have not but who have observed, know very well that when we have passed a law authorizing a matter and have made an initial appropriation and started the machinery, immediately there is propaganda started, and God knows there would be no greater propaganda than in a case like this. Senators are always besought not only here but in their homes, in the streets and alleys, and everywhere, to carry into effect authorizations. It will be estimated for, so that it will be out of our control, except that we shall have the support of the Congress. If we are going to have the support of Congress to prevent things of that kind, now is the time, in a case like this, of all times, before you commit yourselves to that kind of legislation. It is an insidious way of crawling under the tent to see the show, rather than coming to the front and saying at once, "We want so many millions of dollars for this year to protect the health of this Nation."

What backing has the chairman or any member of the Appropriations Committee on this floor when, under our rules, the estimates have been made and sent up here, to prevent any Senator and all Senators from moving to put the whole thing through in mass or any portion of it? Then we have need to depend upon the votes of the Senate, and if the bills come up, as they usually do, in a busy time of the session, when Senators are called away from their luncheon, or from some interview in the Marble Room, and the question is up, we turn to the next man and say, "What is up?" He says, "I do not know," and you say "I will vote yes." And you have to vote against the Appropriations Committee anyway to get more rather than less. The consequence is you are going to load the Government with debt, and you might as well now, at this time, decide whether you are going to pay out these millions in the immediate future, while our condition is as it is; whether you are going to force down the securities of this country until they are kicked about as they are in some foreign countries. Are you going to force the Government in the next issue of certificates it puts out to go to 6½ or 7 per cent? Those are questions we have to decide, and we have to decide them no matter how much heartache it may cause.

The Secretary of the Treasury, who has been mindful of his duties, in his last report, which I have before me, says this, and I want Senators to pay particular attention to this:

ADDITIONAL SOURCES OF REVENUE.

The loss of revenue which would result from the adoption of the preceding recommendations, together with the loss to result even under existing law from the shrinkage of business, would have to be made up from new sources. For the convenience of the committees of the Congress which will be directly responsible for tax revision, I set out below a number of new or additional taxes capable of yielding in the aggregate as much as \$2,000,000,000 a year. These estimates are based upon conditions in the midsummer of 1920, and changes in the future may affect the revenue yield of the taxes mentioned.

Source.	Tax rate.	Estimated additional yield for a 12-month period.
Normal income tax.....	Increase the 4 and 8 per cent rates to 6 and 12 per cent.	¹ \$150,940,000
Readjusted surtax rates.....	(?)	² 230,000,000
Corporation income tax.....	Additional 6 per cent.....	³ 465,000,000
Do.....	Abolish \$2,000 exemption.....	58,000,000
Corporation undistributed profits tax:		
Increase in corporation income tax, estimated at \$190,000,000.	20 per cent.....	690,000,000
Additional revenue from the application of the surtax rates to dividends distributed by corporations to avoid the 20 per cent undistributed profits tax, estimated at \$500,000,000.	Individual surtax rate.....	
Stamp taxes, Title XI, act of 1918.	Double rates in subdivision 10 and quadruple rates in subdivisions 1-9, 11, and 12.	⁴ 134,000,000
Federal license tax on use of automobiles.	50 cents per horsepower.....	100,000,000
Cigars.....	25 cents per 1,000 additional.....	5,000,000
Cigarettes, weighing not more than 3 pounds per 1,000.	\$2 per 1,000 additional.....	70,000,000
Tobacco and snuff.....	6 cents per pound additional.....	8,000,000
Gasoline.....	2 cents per gallon.....	90,000,000
Admissions to theaters.....	10 per cent additional.....	70,000,000
Increase rates on following articles specified in section 900 of the revenue act of 1918: Automobiles (other than automobile trucks and wagons) and motor cycles, including automobile and motor-cycle tires, inner tubes, parts, and accessories (subdivisions 2 and 3).	5 per cent additional.....	100,000,000
Musical instruments (subdivision 4).do.....	13,000,000
Chewing gum (subdivision 5).....	7 per cent additional.....	2,000,000
Candy (subdivision 9).....	5 per cent additional.....	20,000,000
Toilet soap and toilet-soap powders (subdivision 21).	7 per cent additional.....	4,000,000
Jewelry and articles of precious metal (sec. 905, revenue act of 1918).	5 per cent additional.....	25,000,000
Motion-picture films (sec. 906, revenue act of 1918).do.....	4,000,000
Perfumes, cosmetics, and medicinal articles, a tax upon the sale by the manufacturer, producer, or importer in lieu of the tax imposed under section 907, revenue act of 1918.	10 per cent.....	16,000,000

¹ It is estimated that an increase of the 4 and 8 per cent normal income-tax rates to 5 and 10 per cent, respectively, would yield during a 12-month period additional revenue amounting to \$75,470,000. It is also estimated that if only the 8 per cent normal income-tax rate is increased to 12 per cent, the additional revenue to be derived therefrom during a 12-month period would amount to \$103,090,000.

² The surtax rates, shown on page 45, it is estimated, would yield the same amount, \$900,000,000, as the present surtax rates. Inasmuch as the loss of revenue resulting from the abatement of surtaxes on saved or reinvested income has been estimated at \$230,000,000, only this amount has been included in the table of suggestions.

³ It is estimated that an increase in the corporation income tax from 10 to 12 per cent would yield during a 12-month period an additional revenue of \$118,800,000.

⁴ If the stamp taxes imposed by Title XI of the revenue act of 1918 were doubled the additional yield for a 12-month period would, it is estimated, be \$90,000,000.

The following surtax rates, limited to 20 per cent on saved or reinvested income, would yield, it is estimated, as much as the present surtax rates:

Incomes.	Surtax rates.	
	Saved income.	Remainder of income.
	Per cent.	Per cent.
\$5,000-\$6,000.....	2	2
\$6,000-\$8,000.....	5	5
\$8,000-\$10,000.....	10	10
\$10,000-\$15,000.....	12	12
\$15,000-\$20,000.....	15	15
\$20,000-\$30,000.....	20	20
\$30,000-\$40,000.....	20	25
\$40,000-\$50,000.....	20	30
\$50,000-\$75,000.....	20	35
\$75,000-\$100,000.....	20	40
Over \$100,000.....	20	50

These possible sources of revenue are mentioned for the information of the Congress. While I shall not attempt to discuss them in detail, attention should be called to the new or additional consumption taxes included. Reasons have been given for the belief that no valid objection exists against the employment of a moderate number of consumption taxes properly selected; but it would, in my opinion, be neither wise nor expedient to increase radically the volume of consumption taxation.

Now, Senators, when in July of this year the Secretary of the Treasury, working day and night, as they sometimes do in his department, and naturally not quite up to date in the different divisions of the country, can see a shortage of that amount, what kind of a shortage may we expect now, when the year is about to close, and we have had our attention called to losses which have occurred since July, and those which are to occur, in the various lines of business? When the products of the farmers, live stock men, and those who were stricken early, went from their upper story to the cellar and even to the sub-cellar in values—went down before either wages or materials or supplies were reduced—what followed, and what must follow? Of course, there must later follow less business for manufacturing, and indeed we know that manufacturing have been closed and are closing and have been closing ever since about May, wholly or in part.

When we come to the closing of this calendar year and the business men close their accounts, as they usually do, and develop the losses they have made and see the sliding scale which has affected them and affected others, they have to consider what they are going to do for the next year, to consider whether or not they had better reef sail, remain closed, and work perhaps part of their departments a part of the time; but the best they can hope for in nearly every instance is that they may get a new dollar for an old dollar, until, as they may say, the disorganization blows over. When we are going to be short this year, 1920, in income taxes, where are you going to get your money, unless you increase the taxes very greatly, for the coming fiscal year, 1922, for which the Congress is now appropriating?

Referring to the report of the Secretary of the Treasury, in which he suggests doubling and even more than doubling some of the present tax rates, I ask, Mr. President, that with my remarks may be printed the proposal of the Secretary of the Treasury, to which I have heretofore called attention, of a way in which the taxes might be increased in order to cover necessary expenses and also to decrease our indebtedness.

The present burden of taxes is a heavy one. No one loves taxes, local or national. During the war, when every bosom was stirred with loyalty to the Government, and the desire, at whatever cost, to protect her honor and her standing, it was easy to make the tax acceptable for the time being. But who among your correspondents, who among your constituents, ever expected that year after year the tax would have to continue as high as it was then? What Senator can say that any of the voters, that any of his constituents, are asking him to so vote on measures that taxes can not be reduced, and, worse yet, who can you expect to say, "We are ready to have them increased"?

It can be shown from the statements of the Treasury that during the last year we have paid a billion dollars of our debt, and I am sorry to have to make this statement, because I would rather say that we were getting out of debt very rapidly than otherwise, but during this last year in saving a billion dollars we sometimes failed to notice that we have sold hundreds of millions of dollars of war supplies, surplus supplies, which accounts, or did account in the last statement I saw, for seventy-odd millions more than what we are reputed to have saved; so that, as a matter of fact, in the legitimate expenses of the Government and the legitimate income, even under the prosperous year of 1919, we only remain at or nearly even, and we have not the same prospect of miscellaneous receipts for the future.

Here we are with this matter of these great estimates before us. Here we are with bills coming in to establish bureaus and departments, and you could not point to one bureau or department anywhere in the line of the business the Government has been doing that has not grown and grown fast.

I have given you two or three items of that kind. Let us take up just for a moment another instrumentality touching the human side again, through which we want to protect the health and good of the country. We have a Public Health Service for which we thought originally a half million dollars was a great deal of money. What is the condition now? We appropriated last year \$8,673,720. Let us see the expectation. The past growth I have not itemized as to years, but it has been extreme. But here is the estimate for this year, and I will say that every item in it is one which we can see the necessity for if we are going to follow down to the utmost nicety of the benefits. They

are asking for \$13,486,618. There is a rise of some \$5,000,000. Where are we going to land? Nobody can say that we can withdraw our support from the Public Health Service. But this does not cover the extreme expenditures and the great appropriations we have to make, if not for the Public Health Service proper, for the Public Health Service and the Vocational Education Board together, and the War Risk Insurance Bureau, which is along the same line, hundreds of millions of dollars in our main bills and hundreds of millions more in deficiencies. The sums have been fabulous. I do not undertake now to give the amount of the expenses, because I have not taken the time to amass it. But you know it has been thirty millions here and forty millions there and ninety-odd millions somewhere else, and all of this is going out as a result of the war.

The people were patriotic in the war, they supported the war, and they are not only willing now but anxious to support those who suffered by the war, and they are undertaking to place rightly all the soldiers who are sick or maimed.

We started in, for instance, with \$40 and \$60 as the very extreme pension, or compensation, I should say, for soldiers who were injured. We have raised that from time to time until it now stands at a hundred and a hundred and a quarter, outside of family allowances, which are provided otherwise; and we have appropriated for these services in the War Department bills and the other great appropriation bills.

Another reason why I have not figured those together is because we have not yet finished the year. We have the deficiency estimates yet to come, which, I regret to say, have not yet reached the House and Senate.

We not only have got to meet these certificates. The Government is a business concern. You and I go to the bank and borrow for three months or six months or a year, and we can not ask the bank to renew forever. We do not ask it. If we did ask it, our credit would be gone. We have to rustle the money to pay the debt when it becomes due, even though we may have to borrow more immediately at that bank or go to another bank and borrow, as the Government is doing, from one to pay the other.

It is true that the Government has the advantage of individuals in that it can go to the national banks and the Federal reserve banks and force them to take these certificates, you might say. In fact, no one of those banks would dare refuse to take them, and the Government therefore has that advantage. But what is the result of that? The Government absorbs the money that is in these banks and depositories that might be used to carry the farmers and the business men over this financial chasm which lies before some of them. Take, for instance, the live-stock business, where after this time of the year a man can not well secure money for anything he has to sell until the last of next summer, and he must, if he has not the money already in his possession, borrow to carry him over. There are millions of men in that condition who have to depend upon the banks to carry them over, and those banks must depend largely, under this very excellent law that we passed establishing Federal reserve banks, upon those banks to help them. But if the Government is going to continue to borrow as largely as it has been doing, we shall have just that much of frozen resources which can not be legislated out of existence.

Mr. President, I will not follow this matter further, because I think that I have at least shown wherein I feel, under the duty that I owe the Senate and the country, compelled to bring the danger of this kind of legislation before them. Before I take my seat, however, I wish to say that so long as I am permitted to occupy a place in the Senate, unless my mind shall change on this particular subject as it never has changed, I shall never support any bill which goes into the line of mortgaging the future where we have either got to repudiate, as you might say, our own paper and abrogate that legislation or be forced, whether we have the funds or not, into going to the open market and borrowing at whatever rate we may have to pay in order to meet what seems simple to-day, but what might in a crisis mean a very, very serious matter.

Mr. FRELINGHUYSEN. Mr. President, I wish to take the time of the Senate to explain for a few moments my position on the pending bill. I am under somewhat of an embarrassment in regard to the bill, because I have promised some of the people who were deeply interested in it to support it. I believe thoroughly in its principle. I believe that anything which will improve the condition of the public health of the country is, of course, meritorious. But I feel that under my constitutional oath of office I have no right to vote for any bill, however meritorious, when I know that the condition of the Public Treasury will not permit the expenditure of money for legislation of this character.

We are told at the present time that there is a deficit of \$1,200,000,000. The chairman of the Committee on Appropriations [Mr. WARREN] has pointed out to the Senate that the deficiencies are not all reported at the present time. Therefore we may face a still further deficit.

I will support the measure at such time when it is shown that the condition of the Treasury will permit it, but I believe it my duty and the duty of every Senator on this floor to vote against the measure at this time because there is not sufficient money in the Treasury to make the appropriation.

Unless we stop this habit that we have pursued during the last year of passing legislation simply because it is meritorious, unless we call a halt on the continued appropriation of money on these special measures, we will have a condition in the country which will bring about a famine, and if that comes there will be no babies to take care of.

I feel at this time that it is the duty of every Senator to oppose every measure which will place a fixed charge on the Treasury permanently and for all time. The bill provides for an appropriation of \$2,480,000, increasing progressively to \$4,000,000. We all know that in the creation of a new bureau of public welfare or public health of this character these estimates are always under the amount actually wanted. I venture to predict that if the bill is passed at the end of the year a still further appropriation will be asked for deficiency purposes. I have every sympathy with the principle of the bill, but I do not believe that we have any right under our constitutional oath to spend the money of the taxpayers, who will call upon us for a reckoning some day in this country, when the Public Treasury shows a deficit of \$1,200,000,000.

Mr. FRANCE. Mr. President—

Mr. FRELINGHUYSEN. I yield to the Senator from Maryland.

Mr. FRANCE. Knowing that the Senator is a banker, I want to ask him if he makes no distinction between an expenditure and an investment? This is not an expenditure; it is an investment.

Mr. FRELINGHUYSEN. Mr. President, I note the statement of the Senator. I am not a banker. In answering the questions I am reminded of the story of the minister who said, "There are nineteen reasons why we can not put a new roof on the church. The first one is that we have not the money, and there is no need to mention the other eighteen."

This may be an investment, but there are other things in which we can invest. We can invest in the education of the illiterates in this country; we can invest millions of dollars in that way, and it would be an investment, as we could invest in many other beneficial measures. I am not opposing the principle of the measure, which is meritorious, but I do oppose spending \$4,000,000 of the people's money at this time when we have not got it.

Mr. FRANCE. Will the Senator yield?

Mr. FRELINGHUYSEN. I yield the floor. I have finished.

Mr. FRANCE. I only wish to observe that the Senator, I think, has answered his own argument. The reason that we have illiterates in this country is because the argument of economy has been advanced when an effort has been made to secure adequate appropriations for the wiping out of the illiteracy. We meet this argument of economy whenever legislation of an ameliorative character is presented.

There is absolutely no excuse for illiteracy existing in this country, and the only reason for it is because the economy argument is always presented when great public educational measures are presented.

So far as I am concerned, I do not care to enter into an extended argument as to why this expenditure should be made or why this investment should be made. If I desired to do so I think without any question I might show where millions and millions of dollars have been absolutely thrown away by the votes of Senators on this floor for purposes unconstitutional and unjustifiable, without there being a question as to how the money was expended. We have not even asked for an accounting as to how these moneys were expended. So far as I am concerned, from now on, now that the war is over, I propose to exercise my desire for an accounting on measures which are destructive rather than upon measures which are of a constructive and upbuilding character.

We have had a great war. For four years the world has been engaged in the work of destruction. Millions of men have been forming organizations and creating great engines of destruction. So far as I am concerned, as we are entering upon the period of reconstruction, I shall not listen to any argument for economy when there are presented measures for the rehabilitation which must take place.

This I believe is a measure which is meritorious. I believe that the returns from the assessment which we are making under it will be large and I feel that is the sentiment of the majority of the Senate. I hope that we may get a vote upon the measure very promptly.

Mr. SHEPPARD. Mr. President, almost the entire argument of the Senator from Wyoming [Mr. WARREN] was based upon the proposition that the pending bill establishes a new bureau or a new board. Under the amendment offered by the Senator from Utah [Mr. SMOOT], and which has been accepted by the Senator from Maryland [Mr. FRANCE], this entire work is placed under the supervision of the Children's Bureau. So no new bureau or board is created.

Again, the \$480,000 to which the Senator referred, is not for the expense of the bureau, but is for apportionment among the States. Only 5 per cent of the amounts authorized in the bill is available for expense.

When the Appropriations Committee comes to report the appropriations for the Children's Bureau it can harmonize and coordinate the two purposes with perfect ease.

Mr. President, if it is desired to save money, it may be done in this way: When we shall have decided to expend \$400,000,000 for the Navy for the next fiscal year—and we shall, perhaps, expend more—and to expend \$300,000,000 or \$400,000,000 for the Army, merely cut one appropriation \$2,000,000 and cut the other appropriation \$2,000,000; the loss will not be felt; the aggregate of expenditures will not be increased, and this beneficent purpose will have been subserved.

Mr. PITTMAN. Mr. President, I realize the spirit which prompts the Senator from New Jersey [Mr. FRELINGHUYSEN] in voting against the pending bill, and no blame can be attached to him for that position, holding the views which he does. If I held the same views I should not hesitate to vote as he is going to vote.

This bill, however, states that it is "for the purpose of co-operating with the States in promoting the care of maternity and infancy in the several States; to provide instruction in the hygiene of maternity and infancy." I know of no cause with which we may deal in this body that is higher. I am a member of the Naval Affairs Committee; I believe in a great Navy; I think it is our first line of defense; and I am going to vote for a large appropriation for that Navy. It will probably require five or six hundred million dollars. This bill requires only \$4,000,000 per year. We are going to appropriate at least \$400,000,000 for the Army. I do not consider the Army so essential to the defense of the country as is the Navy. I feel that we could get along with half the sized army that we are appropriating money for. I should prefer to take \$4,000,000 proposed to be appropriated for this purpose from the \$400,000,000 that we are going to appropriate for the Army.

The Senator from New Jersey will probably feel that he is obeying his oath of office when he votes for an appropriation of \$400,000,000 for the Army; and yet he thinks that he would be violating his oath of office if he voted for the little sum of \$4,000,000 to assist in saving 23,000 women and 200,000 children who die every year, so it is authentically reported, from a lack of the teaching and care that this \$4,000,000 is to provide. I can not conceive how the Senator from New Jersey arrives at his conclusions.

The bill does not seem to require much argument to sustain it. It is well for the chairman of the Committee on Appropriations, the Senator from Wyoming [Mr. WARREN], to warn the Senate with regard to economy, but the last place that we should start in with economy is where it affects the lives and health of the women and children of the country. It is very easy for the Appropriations Committee to adjust its accounts so that this \$4,000,000, out of the billions of dollars that are going to be appropriated, will not be felt.

However, it would be worth every cent which the Congress appropriates for every purpose if it would succeed in saving the lives of 200,000 children; yes, if it should save the lives of one-tenth or one-twentieth of that number it would be worth the burden that the people of this country would have to bear. We complain little of burdens where there is some chance of profit, but we are never willing gracefully to bear burdens where the only return for doing so is human life or the health of children.

The distinguished Senator from Colorado [Mr. THOMAS] made a very able speech yesterday; not against this bill, however, but it was a very able speech against our system of action in this body and the system prevailing in this country in the election of Senators.

Mr. THOMAS. Mr. President, if the Senator from Nevada will permit me, his conclusion may be that of all my auditors, but I spoke not against the system of the election of Senators but against our methods of procedure, and also against the bill,

Mr. PITTMAN. Mr. President, I know the Senator from Colorado well, yet I can never tell accurately from his speech how he is going to vote.

Mr. THOMAS. Mr. President, if the Senator would listen to my speeches, perhaps his criticism would be more just and correct.

Mr. PITTMAN. I realize that my criticism was only partially correct when I charged that the Senator was fighting the system and not the bill. Now he intimates that he is fighting the bill, and I accept his statement.

Mr. THOMAS. There is no intimation about it; it is an assertion.

Mr. PITTMAN. I distinctly remember when the distinguished Senator from Colorado did me the kindness on one occasion to vote for a bill of mine.

He spoke on this floor for two hours against the bill and probably lost me five or six very good votes, and then he voted for the bill.

Mr. THOMAS. I ask the Senator if the bill was carried?

Mr. PITTMAN. The bill carried in spite of the speech of the Senator.

Mr. THOMAS. That is the usual result of my addresses in this body.

Mr. PITTMAN. Mr. President, I rose for the purpose of complimenting the Senator's speech. As I was saying, it is one of the most able speeches to which I have ever listened, with regard to a subject that was not before the Senate, but in this the speech is not peculiar. The speech dealt with a fear that is alleged to animate Members of this body; it dealt with the lack of statesmanship of the present age; it called attention to the tendency of Senators to listen to and to give consideration to petitions and to the opinions of great masses of people throughout the country; it deplored the fact that statesmanship on the part of individual Senators could be influenced by the words and opinions of the voters of the country. That is one theory; but there seems to be a growing theory in the Nation that it is better to listen to what the majority of the people think. As a matter of fact, that theory seems to be winning in the country. So far as I am concerned, I will admit here that I am always afraid that I am wrong when an overwhelming majority of the people hold a different view from me.

Mr. THOMAS. I assume, therefore, that the Senator will now join the Republican Party.

Mr. PITTMAN. No; and I expect to be reelected as a member of the Democratic Party by virtue of the views I hold.

Mr. THOMAS. I certainly hope the Senator will.

Mr. PITTMAN. I am very sorry that the Senator was not reelected in November last. I did everything in my power to reelect him, although my efforts may have hurt him.

Mr. THOMAS. Mr. President, the Senator need waste no tears over my defeat. I shall very soon return to private and therefore to a far more congenial life; but if the Senator wants to return I am for him, notwithstanding the fact that he does not accept the logic of his own position and join the Republican Party.

Mr. PITTMAN. The Republican Party is a very great party, and I have a higher admiration for it now than I had a few months ago. I probably have more admiration for it now than I will have two years hence; but, be that as it may, the candidate who holds to the view that true statesmanship consists in differing with great masses of the people with regard to policies and principles, in my opinion, will not long be in public life, whether he is a member of the Republican Party or of the Democratic Party.

Of course, I know that is not the primary consideration of statesmanship. The primary consideration, of course, is to bring about the accomplishment of a good purpose. The Senator from Colorado is always trying to accomplish a good purpose, but he fights those things that are settled; he fights to accomplish something that is determined finally. He is still fighting the lost cause of the Civil War; he undoubtedly believes in the constitutional right of slavery; he believes that the cause of the South was right. He would have fought for slavery then, and he would fight for slavery now.

Mr. THOMAS. Mr. President, I do not like to interrupt the Senator, but surely he does not wish to misrepresent me upon the subject of slavery or upon any other subject. I have believed that slavery was constitutional. I think Abraham Lincoln also believed it, and so stated on numerous occasions; it required a constitutional amendment to abolish it; but when the Senator says that I am still fighting the cause of the Civil War, that I would fight for human slavery now as I did then, he makes a statement against which I must protest, for it is not the fact. I was raised in the South and amidst southern institutions, and I believed—and I say it without shame—in all I was then taught to believe by my people, who were as capable

and conscientious as others disagreeing with them. That was a good many years ago.

I came North shortly after the war, and in my new environment I soon learned that there were two sides to every question; that there was nothing more hateful than human slavery; that it was eternally wrong; and that the issue of the Civil War was settled correctly and, I trust, forever. I am glad the war ended as it did, and, in my humble way, I shall always oppose slavery in every form in which it manifests itself, however unsuccessful my efforts may prove.

Mr. PITTMAN. It seems, Mr. President, that I continue to do injustice to the Senator unintentionally. What I tried to convey was that he is still fighting in behalf of hopeless causes.

Mr. THOMAS. That I assent to most heartily, Mr. President. I have been doing that ever since I have been in this body.

Mr. PITTMAN. Mr. President, no one doubts the wisdom of the division of our Government into its various municipalities, into its subdivisions. State rights, however, were larger in the beginning than they are now, and it was proper that they should be larger in their scope, because the States were remote from each other in those days, and legislation of nearly every character had to be left to the States, because the people of the States were the only ones who had knowledge of the local conditions. But with the growth of the Nation, with the growth of transportation and intercommunication, these reasons for exclusive State action became of less force. We know more about the conditions in every State now, and that which takes place in every State now affects everyone in every other State. It is impossible to have an epidemic in one State without its communicating to another State, unless there is a proper system of quarantine. We can not stand to-day and see slavery of any kind or character in one State and say that it is not our concern and does not affect us in another State. It affects us everywhere.

Why, the time was when each county took charge of the building of its own roads, and when a county failed to build good roads it affected no one except the people in the county. But to-day, with rapid transportation by automobile and other means, one county, by refusing to build a link in a chain of roads could greatly affect the use and depreciate the value of the roads in all the other counties of the State, except for State action. For that reason, it became essential for the States to take supervision over the highways through every county in the State, and, on a larger scale, it becomes essential for the Federal Government to take charge of certain matters that rightfully should be attended to by the States, because the States will not attend to them.

The States should provide the appropriations and the means of educating the people with regard to the matters provided in this bill; but few of the States have done it, and the death and disease that is spreading throughout the whole country by reason of this failure of State action is affecting every State, and therefore it is the duty of the Federal Government to act. It is forced on the Federal Government, and it does not lie in the mouth of any State rights man or the governor of any State or the people of any State to complain against this legislation when the conditions that require the legislation are due to the negligence of those same complainants.

This bill is going to become a law, and it should become a law.

Mr. FRANCE. Mr. President, may we have a vote on the pending question?

The VICE PRESIDENT. There is a committee amendment pending, and the Chair understood that the Senator from Utah [Mr. Smoot] has an amendment to offer, which he has not yet presented.

Mr. FLETCHER. Mr. President, I suggest the absent of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harrison	Norris	Spencer
Beckham	Hefflin	Nugent	Stanley
Capper	Henderson	Overman	Sterling
Chamberlain	Johnson, Calif.	Page	Sutherland
Colt	Kendrick	Phipps	Swanson
Curtis	Kenyon	Pittman	Thomas
Dillingham	Keyes	Poindexter	Townsend
Fernald	King	Ransdell	Trammell
Fletcher	Kirby	Sheppard	Walsh, Mass.
France	McKellar	Smith, Ga.	Wolcott
Gerry	McNary	Smith, S. C.	
Harris	New	Smoot	

Mr. SMITH of South Carolina. I wish to announce the unavoidable absence of my colleague [Mr. DIAL].

The VICE PRESIDENT. Forty-six Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absentees.

The assistant secretary called the names of the absent Senators, and Mr. BRANDEGEE, Mr. MCLEAN, Mr. SIMMONS, Mr. WALSH of Montana, and Mr. WARREN answered to their names when called.

Mr. BORAH, Mr. FRELINGHUYSEN, Mr. HALE, Mr. MOSES, Mr. McCUMBER, and Mr. HITCHCOCK entered the Chamber and answered to their names.

Mr. HEFLIN. My colleague [Mr. UNDERWOOD] is unavoidably absent on account of illness in his family.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is an apparent quorum present.

Mr. KING obtained the floor.

Mr. FRANCE. Mr. President—

Mr. KING. I yield to the Senator from Maryland.

Mr. FRANCE. Will the Senator yield for a moment and permit us to offer amendments which will perfect the bill before he proceeds? I think there will be practically no debate upon them.

Mr. KING. It may be that if an amendment or two which I purpose offering should be adopted, it might modify the amendments which the Senator desires to offer, but not being advised as to the character of the amendments I am unable to state.

Mr. FRANCE. It is possible that some of these amendments might so alter the bill that the Senator would not care to press his amendment.

Mr. KING. I have no objection to waiting until the Senator offers the amendments which the committee desires.

The VICE PRESIDENT. The question is on the pending amendment, to strike out section 8. The Secretary will report the amendment.

The ASSISTANT SECRETARY. It is proposed to strike out section 8 in the following words:

That any State desiring to avail itself of the benefits of this act shall, by its board described in section 4, submit to the Federal board detailed plans for carrying out the provisions of this act. These plans shall include the provisions to be made in the State for the administration of the act; the provision of instruction in the hygiene of maternity and infancy through public health nurses, consultation centers, and other suitable methods, and the provision of medical and nursing care for mothers and infants at home or at a hospital when necessary, especially in remote areas. If the Federal board finds these plans to be in conformity with provisions and purposes of this act, due notice of approval shall be sent to the State board.

And to insert in lieu thereof the following:

That the cooperative work in promoting the care of maternity and infancy shall consist of instruction in the hygiene of maternity and infancy through public health nurses, consultation centers, and other suitable methods, and the provision of medical and nursing care for mothers and infants at home or at a hospital when necessary, especially in remote areas; and this work shall be carried on in such manner as may be mutually agreed upon by the Federal board and any State receiving the benefits of this act.

The VICE PRESIDENT. The question is on the amendment of the committee.

Mr. KING. Mr. President, I would like to ask the Senator from Maryland having this bill in charge what reasons prompted the committee to offer this amendment. It seems to me that the amendment, if it prevails, would compel the adoption by the States, in order to secure the aid herein provided for, of a plan which might be too elaborate, and to engage in activities and services so minute and individual and local in character that they should be left to local communities or to the people themselves. For instance, the bill contains a provision that the States "shall" be compelled to furnish hospitals, particularly in remote areas, and medical and nursing care. Does the Senator believe that this bill should prescribe in positive terms exactly the course which shall be pursued by the States in dealing with these matters and the character of aid which shall be rendered? Does it not impose too much of a straitjacket system upon the States and leave too little to their discretion?

It would seem to be the purpose of the bill to standardize everything carried by the bill; to reduce all activities and operations to a dead, monotonous level; to deprive the States of any initiative or discretion. As a matter of fact, we know that that is the policy of the General Government, to place everyone on a Procrustean bed, and to compel uniformity. There is too much uniformity in the world. It is lack of uniformity that spells progress. The curse of bureaucracy is "uniformity." Incompetent Government officials attempt to force upon States and State officials obsolete or archaic methods and policies, and the result is either confusion or revolt or stagnation. The States are making progress. They do not want the paralyzing hand of Federal bureaucracy and incompetency laid upon them.

Mr. FRANCE. Mr. President, in reply to that question I will say that the criticism implied in the question would be a perfectly proper one if the language were susceptible of such an interpretation. It was not the purpose of the committee to make any hard and fast language in outlining the general pr-

poses of the bill. I think that if the Senator will read the amendment again he will see that hospital care, for example, is not compulsory, the language being to the effect that the care shall be either at home or at a hospital, the matter being left, of course, to the discretion of the local authorities.

I think that there will be no difficulty in putting upon this language such an interpretation as will leave it largely to the discretion of the local authorities as to how the work shall be carried on, and that was the purpose of the committee in framing the amendment.

Mr. SHEPPARD. Furthermore, Mr. President, if the Senator will yield, the bill specifically forbids the use of any of the money appropriated hereunder for the erection of buildings or hospitals of any kind, section 14 concluding as follows:

No portion of any moneys apportioned under this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of any buildings or lands.

Mr. KING. May I suggest to the Senator from Maryland that the impression seems to me—and I know some Senators have that impression—that this measure was offered merely for the purpose of obtaining data relative to maternity and the hygiene of children and the dissemination of that data among the States. But an examination of the bill shows that its scope is much broader. As I now understand the measure, it puts the Federal Government into the States and calls for the employment of nurses, the erection or construction of hospitals or consultation centers, whatever that may be, and the furnishing of doctors and nursing care, and hospitals when necessary, so that it is clear that the scope of the bill is far beyond what many have understood its terms to be. The Federal Government, in cooperation with the States, must furnish hospital care and nurses and medical attention to those who come within the scope of the bill; and there is nothing, of course, as I read the bill, determining just exactly those who may be entitled to its benefits. Are the poor and needy alone to be the objects of its benefactions? If so, where is the line to be drawn, and who is to draw it? Is the test of benefits to be measured by the amount of wealth the individual or family may possess? Is it contemplated that this is the beginning of a policy to have the United States take over the entire field of biology, of birth and marriage, and the education of the children of the people? Is the Government to furnish hospitals and medical care for all the people? Is the Federal Government ultimately to assume the control of the children of the Nation and care for them until they reach majority? These questions naturally arise when one studies the provisions of this bill.

Mr. FRANCE. Mr. President, in reply to that I will say that the enlargement of the scope of the bill is in reality merely an enlargement of the scope of the discretion which the local authorities may exercise in the administration of the measure. The language "and care for mothers and infants at home or at a hospital when necessary" instead of directing that such care shall be given by the State merely enlarges the discretionary power of the local authorities in such a way that they may use the funds if, in their judgment it may be necessary, for actual care.

The whole purpose of the bill, and the amount of the appropriation, would indicate, I think, that it was not contemplated that any large numbers of patients would be accommodated at hospitals. More of this amount would be needed perhaps to accommodate patients, for example, in one State. I think that language merely enlarges the scope of the discretion of the authorities, rather than placing a narrow and arbitrary definition of what the duties of the State should be. I think if the Senator will reconsider the amendment in that light he will see the force of what I say.

Mr. KING. May I suggest to the Senator that in the second line of the amendment now under consideration there is an imperative word employed? It says:

That the cooperative work in promoting the care of maternity and infancy shall consist of instruction in the hygiene of maternity and infancy through public health nurses, consultation centers, and other suitable methods, and the provision of medical and nursing care for mothers and infants at home or at a hospital when necessary, especially in remote areas.

It is obvious that if the States desire to secure the benefits of this act, they will be compelled to carry out the kind of "cooperation" that is indicated in the bill and such as the General Government prescribes. It is not optional. What is to be the character of the cooperative work? There "shall" be not only instruction in hygiene through nurses, but there shall be consultation centers and other "suitable methods," and there shall be provision for medical and nursing care for mothers and infants, and hospitals when necessary.

Mr. FRANCE. Mr. President, I have indicated the purpose of the language of the amendment. In view of what the Senator has said, if he would care to offer an amendment changing that word "shall" to "may," I think that, so far as I am concerned at least, it will be satisfactory. Some language is necessary, as the Senator undoubtedly will concede, in which to outline the general purpose of the measure, and this language was designed to do that very thing. If the Senator would care to offer that amendment to the amendment, I should not personally feel like combating it.

Mr. McCUMBER. Before the Senator offers that amendment allow me to suggest what I think, at least, would be a more proper amendment, namely, after the word "methods," in line 7, to strike out all down to the word "areas," on line 10, so you would strike out "and the provision of medical and nursing care for mothers and infants at home or at a hospital, when necessary, especially in remote areas." That would leave intact all the provisions relating to instruction and the matter of promoting the care of maternity and infancy, but at the same time would not compel the Government itself to enter into the business of furnishing nurses and doctors to take care of all the maternity cases in the United States, because if there is reason and justice in taking care of them in one instance it is equally reasonable and just in other cases, the only difference being that in some instances, perhaps, the mother or the father could pay and in other instances they could not. But you are putting in an opening wedge upon this proposition of Government care of the individual that will swell more rapidly than any paternalistic wedge that has ever been adopted by the Congress. As I have to leave in one minute, I want to express myself upon the bill, if the Senator will allow me.

Mr. President, I think the Government can do nothing that is more valuable than to give information which will alleviate distress, and especially which will prevent illness, with all its consequences. I think all the education we could give along that line is most proper. But when the Government itself goes beyond instructing and enters into the business of taking care of the individuals constituting the American citizenship it has made a leap into the arena of paternalism from which it can never escape.

Let me call attention to the fact as it actually presents itself. We first introduce this bill and pass it, which provides for the taking care of the mothers and the infants. Admitting that beneficial results will follow, where are we going to stop?

If there is 1 case of death by reason of maternity there are 8 or 10 cases of death by reason of tuberculosis. I believe that a fair estimate of death from this dread white disease amounts to more than 250,000 a year. Poor boys, poor girls, poor children who can not get out into the open air and live in the right kind of climate are dying by the hundreds of thousands. Now, if we are to furnish nurses and furnish money in the case of maternity, tell me any good reason why we should not furnish the same care for those who are dying of tuberculosis and kindred diseases? Why should we stop with the one case? If the one class are eight times greater in numbers, then why should we not also provide for those who constitute the far greater number?

How many children are dying yearly from diphtheria? Are we furnishing nurses for them? Are we furnishing doctors for them? Why should not we furnish doctors for those who are afflicted with diphtheria where the father and mother are unable to furnish that medical assistance?

Then, again, there are hundreds of thousands of children dying yearly of typhoid and other fevers. Why should we restrict our governmental activities to one class of cases? The only answer that I can conceive of is the reply that this is but the first step and we will reach the other sooner or later. I believe that is true. I think we will have to reach them sooner or later if we take this first step. But have you contemplated the enormous cost of extending this help to all the suffering people in this country?

Mr. FRANCE. Mr. President—

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. McCUMBER. I yield.

Mr. FRANCE. I do not need to remind the learned Senator, who is so well posted on all the Government operations, that we are already expending large sums of money for the prevention of typhoid fever, diphtheria, and the white plague.

Mr. McCUMBER. That is what we are doing and properly doing, but we are not providing nurses for them; we are not providing the medicine; we are not taking care of them in any way. The only point that I seek to make is that there is no line of demarcation by which you can differentiate between the sev-

eral classes of human ailments and say that this class shall have assistance and this class shall have none.

Mr. FRANCE. I was not criticizing the Senator's able argument which he was making. I realize its force. Of course, personally I hold the view that preventable disease and illiteracy are chargeable to the Government. There is only one argument against the elimination of illiteracy and preventable disease, and that is the economy argument. It has been proven that typhoid fever and tuberculosis can be stamped out by the proper governmental action. I hope that the very able argument of the Senator, and his arguments are all very able, may serve to point the way to the Senate, which is, of course, the way in the protection of a feeling of great responsibility by both the Federal and local governments for the existence of these evils, which can be readily eliminated by proper governmental action, an action which, I may say, must be taken both by local and by the Federal Government, because we have already come to a realization that separate State action is not adequate for the meeting of a nation-wide condition.

Mr. McCUMBER. Mr. President, as I said, I think the Senator agrees with me, in part at least, that this is the entering wedge for enormous appropriations in the very near future. If there is any one thing that the public is afflicted with in the world, it is disease. If there is anything that is expensive in the world, it is the attempt to live longer and to cure our ailments; and as we all have them, we would all be more or less the wards of the Government to take care of our several ailments.

I read in the Star a few weeks ago that in one of our departments provision is made for all Government employees in that department to get free medical service and free medicine whenever they are afflicted. So that if a person is lucky enough to be employed in one of the Government departments, he or she can go to the dispensary and get everything from a corn plaster to the most expensive medicine without the payment of a cent. He and she will have dentists to look after their teeth, the oculist to look after their eyes, and all these people are to be furnished this service at the expense of the Government, while the poor clerk down in the department store, man or woman, must pay that expense in added taxes, although his or her earnings are not to exceed two-thirds, and in most cases not to exceed one-half, that of the Government employee.

I do not like that paternalistic idea. If we are going into the subject of furnishing medical aid for any class of American citizens, then in Heaven's name let us make it a public affair and treat them all alike. There is no more reason for furnishing a nurse to one than there is to the other class, provided that they are both so situated that they can not pay the cost of the nurse.

I think Senators must agree with me that that is a fair proposition and that we ought not to embark in the particular feature of furnishing doctors and medicines and nurses for one class of people to be paid for by another class who perhaps need the service just as badly as the first class. I have not been blind to the operation of some of the charities here in the city where free service is rendered. The ordinary person of Caucasian blood has some pride about ever accepting charity in any form, and that person will deprive himself or herself of almost anything on earth rather than to accept it. There is another class of another race that has not that same pride, and this class will receive the charitable aid while the other class, because of its pride and its sensitiveness, its manhood and womanhood, is deprived of it.

I insist that we either ought to make it a general policy that we are to furnish nurses and medicines and doctors wherever the patient is unable to pay for it, if it is to save life or health, or else not embark in it at all. I believe that the lives of thousands and hundreds of thousands of people have been saved by reason of the information that has gone out, issued weekly and monthly by the Society for the Prevention of Tuberculosis. I think that is true of other societies, and I believe the Government could give information that would be most useful and very beneficial in these maternity cases.

But, Mr. President, I do not wish to have the Government embark in a course of becoming in fact a caretaker of the poor or merely a charitable institution. Do all we can to educate the people, help them all we can in the matter of how to take care of themselves, spend any amount of money that may be necessary to give them proper information, but stop right there, because if we go beyond it there is no stopping place. That is why I have suggested to the Senator from Utah [Mr. KING] that it would be better to cut out that portion which provides for the actual medical attendance and the furnishing of nurses by the Government of the United States. I wish to vote for this bill for the good there is in it. I wish I could

eliminate that section which I feel is dangerous. If it can not be eliminated, then I must vote for the good with the hope that the evil may be minimized.

Mr. SMOOT. Mr. President, I am compelled to leave the Chamber to meet with a committee from the House of Representatives—

Mr. FRANCE. Will the Senator yield for a moment?

Mr. SMOOT. Certainly.

Mr. FRANCE. Mr. President, I ask unanimous consent for permission to withdraw the committee amendment for the moment in order that the Senator from Utah may offer his amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The committee amendment is withdrawn.

Mr. SMOOT. For the reasons I have stated I desire to offer the following amendment to the bill. If Senators will kindly excuse me, I wish to call the attention of the chairman of the committee to the fact that my amendment should be followed with an amendment to section 15 to make it conform to the amendment which I have already offered. The chairman of the committee will, I believe, offer the amendment which I suggest to section 15, which makes the bill conform to the amendment that I have offered, if my amendment is agreed to.

I will state briefly that the amendment is for the purpose of eliminating from the bill the Federal board of maternal and infant hygiene. It is to place the management of the activities under the Children's Bureau, and provides that whatever activities are had in the future shall be under the direction of the Children's Bureau. The amendment covers that question with the single exception of the amendment to which I have referred in section 15, which the chairman of the committee will offer.

Mr. DILLINGHAM. May I inquire of the Senator from Utah whether it makes this bureau responsible to the Department of Labor or does it leave it an independent body?

Mr. SMOOT. The Children's Bureau is to stay under the Department of Labor. It simply adds to the duties of the Children's Bureau the additional labors required by the bill, rather than to have a separate bureau for that purpose.

The PRESIDING OFFICER. The Secretary will report the amendment offered by the Senator from Utah.

The READING CLERK. On page 1 strike out all of line 10, and on page 2 strike out lines 1, 2, and 3 and substitute therefor the following:

For the use of the Children's Bureau, for the promotion of maternal and infant hygiene, for the administration of this act, and for the purpose of making such studies, investigations, and reports as will further the efficient administration of this act.

Mr. KING. May I ask the Senator whether that contemplates that the administration of this bill shall be committed to the Children's Bureau?

Mr. SMOOT. To the Children's Bureau.

Mr. KING. I have not the amendment before me, but I was about to propose an amendment to the bill providing that the administration of the measure shall be left with the United States Public Health Service. That is an organization which is familiar with matters concerning the health of the people; it has to do with the public health of the people in all the States. This organization is nation-wide in its activities and in its functions. It would seem that, instead of creating another organization, which will have to do with medical matters and the health of the people, it would be better to place the administration of this bill upon an organization which is already functioning, and which in the very nature of things will be perpetuated.

Mr. SMOOT. Mr. President, the amendment provides that—

The Chief of the Children's Bureau of the Department of Labor, acting through the agency of the Children's Bureau of the Department of Labor, shall be charged with the carrying out of the provisions of this act.

The amendment also provides that the advisory committee shall consist of the Secretary of Agriculture, the Surgeon General of the United States Public Health Service, and the United States Commissioner of Education.

In the first place, I wanted to prevent the creation of any more bureaus in the Government. I recognize that the suggestion of my colleague would have that same effect; but, as the Surgeon General of the United States Public Health Service is one of the advisory committee, together with the other two members of the board I have named, I thought perhaps it would be better to have it administered by the Children's Bureau than by the Public Health Service. I think my colleague recognizes the fact that there is about as much duplication of work in the Public Health Service as there is in any bureau of the Government. I do not want to afford them any further excuse for coming to Congress and asking for an appropriation of more

than \$4,000,000 a year to carry on the work contemplated by the pending bill. I recognize the fact that this agency, if established, is going to cost a great deal of money. I know the bill provides that after a few years the appropriation shall be \$4,000,000 plus \$480,000, or a total of \$4,480,000 a year; but if the provisions of the act shall be carried out and no favoritism shown and the object of the legislation shall be effectuated, or approximately so, of course it will mean millions of dollars more. It will be for the Senate to decide whether the administration of the proposed act shall be placed under the Children's Bureau, in connection with the advisory committee, or whether it shall be placed under the Public Health Service. I thought under the circumstances it had better be placed in the hands of the Children's Bureau under the Department of Labor.

Mr. HITCHCOCK. Mr. President, I should like to ask some Senator who is familiar with the real purpose of the pending bill whether it was not originally intended that its administration should be similar to the administration of the act passed by Congress appropriating money for the promotion of the construction of highways; in other words, that the real administration on the ground should be by the States, and that the appropriation should be considered a contribution by the United States Government.

Mr. SHEPPARD. That is true.

Mr. HITCHCOCK. It seems to me if that is true that there ought to be some amendment to the bill. In section 4, for instance, the provision is made that the State authorities may be created, but they are only given power "to cooperate as herein provided with the Federal board in the administration of the provisions of this act," whereas it seems to me that the State authorities in the different States should be given the power to administer the act on the ground. Then again, in section 6, a most sweeping grant of power is given to the bureau. That section provides—

That out of the amounts authorized under this act the Federal board is authorized to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to rent buildings outside of the city of Washington—

There is no limitation of any sort. They are given carte blanche to employ people at any salaries they may please and as many as they please.

Then they are given the authority to rent buildings outside of the city of Washington. That means they may go into every State of the Union and rent buildings for the purpose of administering this proposed act, instead of allowing the States to administer it. They are given authority "to purchase such supplies, material, equipment, office fixtures, and apparatus, and to incur such travel and other expense as it may deem necessary for carrying out the purposes of this act."

Mr. SMOOT. I will say to the Senator that I had that matter in mind when I made the statement that an appropriation of more than \$4,480,000 would be required in a very few years.

Mr. HITCHCOCK. The bill appears to me to provide for the administration of the law practically by this bureau.

Mr. SMOOT. It does.

Mr. HITCHCOCK. And to place no limitation whatever upon the expenditures of the bureau except possibly that contained in section 5, which indicates that for expenses it may employ not more than 5 per cent of the total amount appropriated in any one year.

We proceed in the first year to appropriate \$2,000,000. That is supposed to be for the States, but, as I understand, that amount may be used for the expenses of the bureau, and it seems that something like \$100,000 can be used by it for activities outside of the city of Washington very largely.

Mr. SMOOT. I will say to the Senator that I think that is a very small amount if the object of the bill is carried out. I do not wish to be deceived; I am not going to deceive myself; and I do not think Congress ought to be deceived into thinking that this appropriation will be confined to the amount which is named in this bill. That will not happen any more than it happened in connection with the Children's Bureau, when we were told at the time the bureau was created and \$10,000 appropriated for it that the expenses of the bureau would never at any time amount to more than \$25,000 a year. We now have the estimates for the Children's Bureau for the coming fiscal year and find they are between seven hundred and eight hundred thousand dollars.

So I want to be perfectly frank with the Senator, and say that, so far as I am personally concerned, I will not be surprised if when this bill shall become a law—and I think it will become a law—at some time before the \$4,000,000 annual appropriation shall be reached, or if not previous to that time then shortly following that time, the appropriation will be very much more than that provided now in the bill.

Mr. HITCHCOCK. Mr. President, I am not altogether disturbed over the amount appropriated. What I dislike to see is the creation of a great machinery here in Washington when I had been led to believe that the purpose was merely to use the organization here as a small clearing house and actually to encourage each of the 48 States to put into operation the work of administering the law. I thought that was the conception of the bill—that Congress was to appropriate the money to encourage each State in the administration of the law—but it seems to me that as the bill is drawn the power is all left in the bureau here, and that it will multiply the number of its employees and continue to rent offices and incur expenses, so that the money we appropriate, instead of going for the alleviation of existing conditions and for securing the result aimed at by the measure, will be consumed in expenses.

Mr. SHEPPARD. Mr. President, I wish to say to the Senator from Nebraska that there is a limitation on expenses of 5 per cent of the amount authorized in the bill.

Mr. HITCHCOCK. I have already cited the fact that that is the only limitation; that there is no limitation on the amount of salaries. I, for my part, distinctly object to a bureau in Washington renting quarters in all of the 48 States of the Union to carry on business. The bureau ought to operate here in Washington, and it ought not to be permitted to rent quarters in various States and undertake to administer the law when its administration should be left to the State authorities under the instructions of this bill.

Mr. SMOOT. Mr. President, I wish to say to the Senator that unless the bureau is allowed to go into the various States the object of the bill will not be accomplished. The bureau here will have to have some kind of headquarters in every State in the Union, and perhaps a number of headquarters in each State in the Union, in order that the work provided for may be carried on. It is true that there is a limitation of the amount that can be expended in the District of Columbia to 5 per cent of the appropriation. On \$4,000,000, 5 per cent will amount to \$200,000. The remainder is to be expended under the provisions of the bill outside of the District of Columbia. If I had time to go into the bill in detail and consider it more closely than I have had an opportunity to do, I might suggest other changes than those which I have suggested. I do not think, for instance, that it ought to provide unlimited power to pay any sort of salary that may be decided upon.

Mr. HITCHCOCK. Mr. President, there is no limit, so far as I can see, in the section under discussion, and, so far as I am concerned, I am distinctly opposed to having a bureau in Washington rent headquarters in every State in the Union. That is what they will have the power to do under the section.

Mr. SMOOT. How will the provisions of the bill be carried into operation unless they do have such power?

Mr. HITCHCOCK. They can very well operate through the quarters occupied by the State authorities.

Mr. SMOOT. Then we will have to change the theory of the bill.

Mr. HITCHCOCK. We have a Labor Bureau now that is operating in the various States, but it operates generally through existing agencies in each State, and there is no reason why a bureau of this kind can not act in a similar way. If we give the bureau authority to rent quarters in each of the 48 States, they are going to consume the funds in expenses and in creating a great piece of governmental machinery.

Mr. SHEPPARD. How can they do that in view of the limitation of 5 per cent? It is not a limitation merely as to the District of Columbia, but applies everywhere.

Mr. HITCHCOCK. The limitation can be changed in the appropriation bill.

Mr. FRANCE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. HITCHCOCK. I do.

Mr. FRANCE. I desire to say that the Senator's interpretation of the bill is correct. This work should be carried on by the local authorities under the supervision of the bureau here. That is the whole tenor of the bill. If the Senator had had an opportunity of reading it more closely, I think he would realize that that method is provided for—the decentralized method of having the local authorities carry on the work. So far as I myself am concerned, I should be very glad, if the Senator cares to offer such an amendment as he has suggested, to see modified the authority to rent buildings outside of Washington. I can not think that it was the contemplation that the bureau chief should rent buildings in the States for carrying on this work, and I repeat that I should be very glad to accept such an amendment as the Senator has suggested, so far as I am concerned.

Mr. HITCHCOCK. I think that such an amendment would materially improve the section.

Mr. SMOOT. Mr. President, of course, the Senator having the bill in charge can do as he pleases; but does he not think it will be absolutely necessary that some agency outside of the District of Columbia, representing this organization, shall have a headquarters?

For instance, take California, Arizona, and New Mexico. Suppose they were made a district. It seems to me it would be very much cheaper to have a headquarters there than to have the employees and representatives of the organization paying traveling expenses from Washington to every State in the Union and back again to Washington. They will have to have a headquarters somewhere, it seems to me, to administer this bill as it ought to be administered; and if you are going to prevent the renting of quarters anywhere outside of the District of Columbia, I think the expenses will be a great deal more than the rent which would be paid, and traveling expenses of the representatives in going from one end of the country to the other.

Mr. FRANCE. Mr. President, I realize the force of what the Senator from Utah says; but it seems to me that under section 8 the local authorities would be authorized to establish consultation centers and to rent headquarters for carrying on this work, and it seems to me that is the proper method, as suggested by the Senator from Nebraska, and I think it is the method contemplated under the bill.

Mr. HITCHCOCK. Mr. President, if the Senator will permit me, the experience is that at the present time there are representatives of a number of Washington bureaus that are not required to rent headquarters in the various States. The Government has buildings in every State, and my recollection is that the representatives of the Department of Labor occupy positions in courthouses or in other Government buildings wherever they are; and other representatives of Government bureaus are always able to find, either in the capitol of the State with which they are cooperating or elsewhere, the necessary places.

But if you open to any bureau here in Washington the power to establish a separate headquarters in each of the 48 States, you open the door very wide to the building up of an enormous department, and it will come rapidly. The place will be rented, and there will have to be a clerk in it, and there will have to be a telephone in it, and there will have to be rent paid, and a gas bill, and an electric bill, and a great machinery will soon develop.

I hope this bill will be changed so that I can give it my support, as I originally expected to, upon the theory that while the Government of the United States appropriates this large sum of money and coordinates the activities of the various States by the bureau here in Washington, it will leave to the authorities in each State the active administration and application of the law. I think that is where it can be made most efficient and most acceptable to the various States.

I do not know whether it is in order to offer this amendment at the present time or whether there is an amendment pending.

Mr. SMOOT. There is an amendment pending.

Mr. FRANCE. Mr. President, if that inquiry is directed to me, I should be very glad to see the amendment of the Senator from Utah adopted, because I feel that it materially improves the administrative features of the bill; and then, with another slight amendment which I shall offer to make the remainder of the bill conform after the adoption of the amendment of the Senator from Utah and after the adoption of the committee amendment, I shall be very glad to have the Senator from Nebraska suggest an amendment to the particular portion of the bill to which he refers—that portion authorizing the chief of the bureau to rent buildings outside of Washington. This bill is very carefully drawn, so that this work will be decentralized by being carried on by the local authorities.

The PRESIDING OFFICER. The question before the Senate is the amendment offered by the senior Senator from Utah [Mr. SMOOT].

Mr. KING. Mr. President, I offer the following amendment to the amendment offered by my colleague: Strike out all of lines 10, 11, 12, and the words "called 'the Children's Bureau,'" in line 13 of his amendment to section 3, and insert in lieu thereof the words "the United States Public Health Service," so that it will read:

The United States Public Health Service shall be charged with the carrying out of the provisions of this act.

If the amendment I have just suggested is adopted, then a like amendment would be necessary in other parts of the amendment offered by my colleague.

I think that the execution of this bill should be lodged with some one particular bureau or agency and not left to a multi-

tude of officials, but I suggested to my colleague a moment ago that in my opinion the Public Health Service of the United States is the best equipped bureau or agency of the Government for carrying this measure into effect.

I have understood the provisions of this bill to be along the lines indicated by the Senator from Nebraska [Mr. HITCHCOCK]. I was very much surprised when I came to read it, in view of the statements which have been made to me by many proponents of the bill, to find that it is an attempt to build up here in Washington a great bureaucracy which will extend its tentacles into every State of the Union.

We were led to believe that the purpose was to have specialists and competent officials of the Government collect data with respect to maternity and hygiene, and then to distribute that information to the various States through the instrumentality of such State organizations as might be provided; but an examination of the measure reveals that it is very much like many other measures which have found approval at the hands of Congress. Measures are offered, apparently innocent upon their face, but when they are enacted into law they become the basis of gigantic Federal agencies, which encroach upon the States, and compel the appropriation of vast sums from the Federal Treasury. A measure which appears to be serving some benevolent and proper purpose becomes a huge bureaucratic machine, which seeks the subversion of State functions and the aggrandizement of the Federal Government.

Unquestionably this measure in its present form will be the basis for the creation of a gigantic, bureaucratic Federal organization. It will not be content with furnishing data to the States, but it will insist upon going into the States and taking charge of administrative matters there. It will not be content with furnishing data and information relative to the subjects mentioned in the bill, but it will seek to establish hospitals and consultative centers, and promote organizations of nurses, and take over the conduct of matters which should be under the cognizance of private individuals or by the States themselves.

It is manifest from an examination of the bill that it contains the germs of perennial growth and development, and that it will create an organization in force or power which will eventuate in the people looking to Congress for appropriations to care for them in sickness and in death. It will enervate the people, destroy the individual sense of responsibility, and educate the State to place upon the Federal Government duties which it should perform. I predict that within a few years, if this bill becomes a law, there will be thousands of Federal employees operating under its provisions and millions of dollars appropriated annually by the General Government. Not four millions will be required, but forty millions, and doubtless very much more. If we begin to establish hospitals and nursing centers and supply medical care in all of the States of the Union for maternity cases and to care for children, the Federal Government will soon have upon its hands the performance of a task which will increase its burdens and demand heavier taxes from the people.

The States will soon cease to look after State hospitals, if there shall be State hospitals, and the people, little by little, will make their demands upon the Federal Government to furnish medical care and hospital care and nursing in all maternity cases. This will be followed by demands from the employees of the Government who will desire to extend their functions and increase their power and emoluments that aid be given the mothers and the children for an indefinite period. It will be insisted that they should be supplied with homes and food and clothing, and that efforts should be made to supply them with work and positions. Thus the view will be pressed that the Federal Government should help all persons who are afflicted or diseased or insane, and that this organization or some other Federal agency should undertake this additional work. Already we see a weakening of individualism and individual responsibility and a growing feeling that the United States must or should care for the people.

But to return. The Public Health Service is already in existence, and while it is a most extravagant organization, costing enormous sums annually, it is equipped to perform the work called for by this measure.

From my investigations, Mr. President, I am led to believe that the Public Health Service contains some very excellent officials and medical men of ability and high standing, men who have given years to the study of those questions which are properly cognizable by a bureau of that character. The activities of the Public Health Service are not confined to Washington, but their activities extend to all of the States. We have made appropriations of thousands of dollars to enable that organization to study diseases and sanitation, and all cognate questions, and to make distribution of the information obtained to the various States of the Union.

Now, if we have a medical organization already functioning, and if there are hospitals already in existence, owned by the Government, and more to be erected, and if this organization is engaged in obtaining data respecting the diseases prevalent in the United States, why not utilize this organization? Why create another one? If we create another organization, manifestly we will need doctors and nurses and medicines and instruction and the collection of data for distribution. We now have an organization which can accomplish those things, one which is collecting data and disseminating information among the people.

Mr. President, I am told that the Public Health Service has even instituted researches among the schools for the purpose of giving information to parents as to the diseases of children and the methods which should be employed to promote the health of the children. The object undoubtedly is praiseworthy, but there may be differences of opinion as to the power of the bureau to carry on such work.

So, Mr. President, it seems to me that it would be the act of wisdom, and it would certainly be a logical thing to do, to commit to an organization which is now functioning, which is extensively operating in the United States, the administration of the provisions of this bill. The amendment offered by the senior Senator from Utah [Mr. SMITH] calls for the services of the Public Health Service for consultative and administrative purposes. If this organization is to be called into action to aid in the execution of the bill, why not devolve upon it the entire administration of the bill? It is obvious that those who drew the bill felt that the Public Health Service should be consulted in the administration of the act, and therefore the original bill, as I recall, provides that the United States Public Health Service shall constitute, in connection with other branches of the Government, an advisory board to aid in the execution of the act.

If the Public Health Service is to constitute a portion of the advisory board, it is clear that the drafters of the bill felt that its superior knowledge and the experience of its members would be of incalculable benefit in the execution of the bill. I repeat, Mr. President, that if this organization, composed of some of the best medical men of the United States, is to be employed in a consultative way, the whole responsibility of enforcing the act should devolve upon that organization.

Just one word further, Mr. President, not quite apropos of the amendment, but along the lines indicated by the Senator from Nebraska [Mr. HITCHCOCK]. I do not agree with the position taken by my colleague, Mr. President, if I understood his position, that there should be headquarters for this organization in every State. If headquarters are established in every State, there will soon be headquarters in every county containing a large population. If headquarters are to be established in a State with a population of half a million or a million people, how many headquarters and buildings would be required in the great State of New York, or Pennsylvania, or Illinois, or Ohio? If this is to be administered by the Federal Government through officers and bureaus and employees placed in all of the States of the Union, Mr. President, it will require an army of officials, and it will cost hundreds of thousands of dollars annually for the rent of public buildings. We will convert this organization into a mighty Federal bureau instead of an instrumentality to aid the States. The Federal Government will overshadow the States; instead of furnishing information to the States, the Federal Government will assume the administration of the bill; it will enter into the States, control certain of their activities, and create a machine that will cost the people millions and tens of millions of dollars annually.

Mr. President, it seems to me that the amendment which I have offered ought to secure the approval of Senators.

Mr. WALSH of Montana. Mr. President, I am in sympathy with the principles of this measure and want to give the bill my support. I am not seriously troubled about the question of power with respect to legislation of this character. It is true there is no express delegation of power in the Federal Constitution to the Congress of the United States to deal with a subject of this character. Neither is there any such delegation of power over the subject of education. That was reposed, under our kind of government, in the States. Understanding that fact, from the very beginning of the Government Congress has been making grants of public lands to the States in the interest of education. I believe those grants began with the very beginning of our Government and have gone on at intervals ever since, and I am entirely unable to distinguish in principle between the grant of public lands from the Government to the States in aid of education, which lands might have been sold for cash and the cash turned into the Treasury, and the grant of money outright for the purpose of aiding the States in their work of

education. The practice has gone on too long; it has become sanctioned by usage to such an extent that I apprehend no one at this day would be heard to say that it is beyond the scope of the powers of the Federal Government to vote aid to the States for the purpose of carrying on the work of education.

Mr. President, if the Government may thus make grants of land or of money to the States for the purpose of educating children, it would be difficult to establish that it has not the power to grant aid, either in money or land, to aid in bringing children into existence, and that is the purpose of this bill, as I understand it. It is not only a humanitarian measure, but it is founded on a wise public policy, because I believe that, since the war at least, it is generally recognized that the greatest asset any country has is its own citizens.

So, Mr. President, it was my conception of this measure that it was built upon that principle, practically the same as the good roads act. In that case the Federal Government votes aid to the States for the purpose of carrying on the work of constructing roads, the work being carried on by the States, the Federal Government merely making such supervision as will insure the appropriate and economic use of the aid extended.

That, as I say, as I understood it, at least, is the theory upon which this bill is constructed. That would seem quite clear from section 1 of the bill. I read from lines 5 and 6, as follows:

The sums authorized in section 2 of this act to be paid to the several States for the purpose of cooperating with the States in promoting the care of maternity and infancy in the several States—

Clearly implying that the work of promoting the care of maternity and infancy in the several States is to be carried out by the States, this act to extend aid and cooperation in that work by the Federal Government.

That idea is also conveyed by the language found at the bottom of page 3 and the top of page 4 of the bill, as follows:

The Federal board shall have charge of all matters concerning the administration of this act and shall have power to cooperate with the State boards authorized to carry out the provisions of this act.

That is to say, it is the State boards which are authorized to carry out the provisions of this act, and the Federal board acts in cooperation with the State authorities.

But that idea, Mr. President, is, as I say, rather at war with the language of the succeeding section, namely, section 4, which reads:

That in order to secure the benefits of the appropriations authorized in section 2 of this act, any State shall, through the legislative authority thereof, accept the provisions of this act and designate or authorize the creation of a State board of maternal and infant hygiene, consisting of not less than three members, which shall have all necessary powers to cooperate as herein provided with the Federal board—

Which would seem clearly to imply that the Federal board is the one which is to conduct the operations, to be the main wheel in the machinery, and that the State boards are simply to cooperate with the Federal board, which is to be the active, important, and primary agent. That would introduce quite a new principle, to my mind.

But I am very certain that that was not the purpose of those who framed the bill, and accordingly, I offer this amendment, to make the bill, as I conceive it, conform to the ideas entertained by those who drafted the bill, namely, in section 4, page 4, line 12, after the word "members" insert the word "with," and after the word "which," in the same line, insert the words "the Children's Bureau," to conform to an amendment which, as I understand it, has been accepted, and then to cut out the words "with the Federal board," at the end of line 13 and the beginning of line 14, on the same page, so that the section will read:

That in order to secure the benefits of the appropriations authorized in section 2 of this act, any State shall, through the legislative authority thereof, accept the provisions of this act and designate or authorize the creation of a State board of maternal and infant hygiene, consisting of not less than three members, with which the Children's Bureau shall have all necessary powers to cooperate as herein provided in the administration of the provisions of this act.

The PRESIDING OFFICER. May the Chair suggest to the Senator from Montana that there is already an amendment pending, to which an amendment has been offered?

Mr. WALSH of Montana. Then I will ask for the consideration of the amendment offered by me in its regular order.

Mr. KING. I was going to ask the Senator having the bill in charge, if the Senator from Montana will pardon me, if he will, not accept that amendment.

Mr. FRANCE. Mr. President, I think the point made by the Senator from Montana [Mr. WALSH] is good, and I think his amendment corrects a defect in the bill, and I should be very glad to see it accepted at the proper time.

Mr. WALSH of Montana. I ask unanimous consent for the present consideration of the amendment to the amendment.

The PRESIDING OFFICER. Without objection, the pending amendment of the junior Senator from Utah [Mr. KING]

to the amendment of the senior Senator from Utah [Mr. Smoot] and the amendment of the senior Senator from Utah will be considered temporarily withdrawn, and the amendment offered by the Senator from Montana [Mr. WALSH] is now before the Senate as in Committee of the Whole.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The amendment now before the Senate is the amendment offered by the junior Senator from Utah [Mr. KING] to the amendment offered by the senior Senator from Utah [Mr. Smoot].

Mr. FRANCE. I hope the amendment to the amendment will not prevail.

Mr. HARRISON. Let the amendment be reported, Mr. President.

The PRESIDING OFFICER. The Secretary will report the amendment offered by the junior Senator from Utah to the amendment of the senior Senator from Utah.

The READING CLERK. The senior Senator from Utah [Mr. Smoot] proposes the following amendment, on pages 3 and 4: Strike out all of section 3 and substitute therefor the following:

SEC. 3. The Chief of the Children's Bureau of the Department of Labor, acting through the agency of the Children's Bureau of the Department of Labor (hereinafter called "the Children's Bureau"), shall be charged with the carrying out of the provisions of this act and the Chief of the Children's Bureau shall be the executive officer. The Chief of the Children's Bureau as executive officer is hereby authorized to form an advisory committee to consult with the Chief of the Children's Bureau and to advise concerning any problems which may arise in connection with the carrying out of the provisions of this act, such advisory committee to consist of the Secretary of Agriculture, the Surgeon General of the United States Public Health Service, and the United States Commissioner of Education. The Children's Bureau shall have charge of all matters concerning the administration of this act and shall have power to cooperate with the State board authorized to carry out the provisions of this act. It shall be the duty of the Children's Bureau to make or cause to be made such studies, investigations, and reports as will promote the efficient administration of this act.

The junior Senator from Utah proposes the following amendment: After the numeral "3" strike out the words "The Chief of the Children's Bureau of the Department of Labor, acting through the agency of the Children's Bureau of the Department of Labor (hereinafter called the 'Children's Bureau') and insert in lieu thereof the words "the United States Public Health Service," so that the amendment would read:

The United States Public Health Service shall be charged with the carrying out of the provisions of this act and the Chief of the Children's Bureau—

And so forth.

Mr. KING. Mr. President, if the first amendment which I have suggested is agreed to, then I shall desire further to amend the amendment offered by the senior Senator from Utah [Mr. Smoot], by striking out the words on page 2, lines 1 and 2, of the proposed amendment, "and the Chief of the Children's Bureau shall be the executive officer."

The PRESIDING OFFICER. The Secretary will report the amendment.

The READING CLERK. On page 2 of the proposed amendment of the senior Senator from Utah [Mr. Smoot], line 1, after the word "act," strike out the words "and the Chief of the Children's Bureau shall be the executive officer."

Mr. KING. The amendment which I have now submitted reads:

The United States Public Health Service shall be charged with the carrying out of the provisions of this act.

Mr. FRANCE. Mr. President, I desire to say a word on the proposed amendment. I realize that there are many reasons why this work should be placed under the supervision of the Surgeon General of the Public Health Service. Indeed, when the matter first came to me, in my consideration of it I was inclined to feel a good deal that there were so many advantages to be secured by the administration of the bill by the Public Health Service that perhaps the bill should be amended as the Senator from Utah has now suggested that it should be amended.

But after giving the matter my most careful thought, and after talking the matter over with the members of the committee, it seemed to me to be a mistake to put the work under the direction of the Public Health Service. I do not care to detain the Senate now with an enumeration of all the reasons why the bill should go for administration to the Children's Bureau, but there are very important reasons.

The amendment offered by the senior Senator from Utah [Mr. Smoot] meets many of the objections which have been urged to the creation of the new board. I feel that the administration of the work, as provided in the bill after it is amended as it will be by the amendment of the senior Senator from Utah, will be most efficient and that every objection has been taken care of. The amendment of the senior Senator from Utah provides that the administration shall be by the Children's Bureau. It pro-

vides that the Chief of the Children's Bureau shall be authorized to appoint an advisory committee, that committee to be formed of the Surgeon General of the Public Health Service, the Secretary of Agriculture, and the Commissioner of Education. It seems to me that is an ideal arrangement, and under it the administration will be carried on efficiently.

I sympathize with the views of the junior Senator from Utah [Mr. KING], but I do feel that if he had the opportunity of studying the matter as fully as I have had and if he had had an opportunity to look into the matter as carefully as members of the committee looked into it, he would realize, of course, what I have said, and he would realize the advantages of the administration proposed in the amendment offered by the senior Senator from Utah.

Mr. HARRISON. Mr. President, as I understand it, the agents who will be employed in this department to carry out the purposes of the bill will be more or less expert in medicine and in hygiene, will they not?

Mr. FRANCE. Yes; I think it is contemplated that the work shall be carried on by those familiar particularly with hygiene and nursing. The work which it is contemplated will be carried on under the bill is generally carried on by district nurses who act under medical supervision in all that work.

Mr. HARRISON. May I ask the Senator, in his opinion, how many nurses is it estimated that it will take to carry on the work with the appropriations that are provided for in the bill?

Mr. FRANCE. Of course, it would be very difficult to state offhand how many persons would be required for the administration of the provisions of the bill.

Mr. HARRISON. Practically all the field force will necessarily be experts, trained in hygiene and medicine. Is that correct?

Mr. FRANCE. It is rather difficult to define the term "expert." It is a question whether we have in the United States more than a thousand experts on the question of hygiene.

Mr. HARRISON. Of course, if the Government is going to employ nurses who do not know their business and are not versed in the purposes which this measure is intended to serve, then we can not look for much result from it. The Senator will agree with me in that, I know.

What I am trying to get at, because I am going to support the bill, is that it would seem to me upon first blush that the Public Health Service would be a better department under which to place the work, because of the work that it is doing, than the Children's Bureau. The Children's Bureau is doing great work and rendering great service to the country, but it has not any trained nurses in its work. The head of that bureau, while the whole country respects her and admires her and knows of the great service she is rendering, is not trained in this particular work as an expert.

So, as I said, it would seem to me upon first blush that the Public Health Service could render greater service than the Children's Bureau, and that is why I sought the information from the Senator.

Mr. FRANCE. As I have stated, I think that there is much to urge in defense of the view which the Senator entertains, but upon the other hand I feel that the plan provided in the amendment is the plan which looks to cooperation between the Children's Bureau, under which this work would naturally fall, and the Surgeon General of the Public Health Service, the Surgeon General of the Public Health Service acting on the advisory committee. It seems to me that is really the proper distribution of the administrative powers, the Children's Bureau actually carrying on the work, the Surgeon General acting upon the advisory committee.

Mr. HARRISON. But the work that the Children's Bureau will be doing under the provisions of the bill will be quite unlike the work it is now performing. If it is a sentimental reason merely to have a lady at the head of this service—and I think there ought to be a woman at the head of the work—why not make her an assistant in the Public Health Service and put her at the head of this work? It does seem to me it would be economy, and that we could get more out of the bill by putting it under the Public Health Service than under the Children's Bureau.

Mr. HITCHCOCK. If the Senator will yield, I think I can suggest a good reason why the bill should remain as it is, making the Children's Bureau the administrative agency for this work.

The Public Health Service has apparently taken no interest in the matter and has voluntarily yielded the field to the Children's Bureau. The Children's Bureau is the only agency, so far as I know, which has made any move in this direction. It has begun by the publication of documents, one of which I have in my hand, and it has already, as far as it had the power and

ability, entered upon the work of looking after this important matter.

It seems to me, therefore, that rather than call in expert medical authority and call upon a bureau or service which is already overburdened with very important duties, it would be better to leave it, as the bill proposes, in the hands of the Children's Bureau, that has already undertaken the work.

Mr. HARRISON. Is that an official document issued by the Children's Bureau?

Mr. HITCHCOCK. It is gotten out by the bureau. It is one of the publications of the Department of Labor.

Mr. HARRISON. It is not propaganda to bring about the passage of this particular bill?

Mr. HITCHCOCK. It is a document which shows they have gone extensively into the gathering of statistics, not only domestic but foreign, and made a study of the subject and have used the influence of the bureau for the purpose of protecting child life. I think under the circumstances it would be rather a mistake for Congress to step in and withdraw the matter from the administration of the Children's Bureau.

Mr. HARRISON. As I understand the Senator, the Children's Bureau is now issuing official documents to promote the care of infants and mothers in maternity.

Mr. HITCHCOCK. This is entitled, "Save the young. Seven charts of maternal and infant mortality in the United States, with explanatory comments." It is a public document, for public information, intended to promote greater care in the treatment of infants and of mothers. I think it would be rather a mistake under these circumstances, without any consideration, to withdraw the matter from that bureau. To my mind, too, it is a matter which comes more properly under the head of social welfare. Its work would hardly require any considerable amount of medical expert treatment.

Mr. HARRISON. If the Senator will permit me, I notice that the bill provides for hospital care.

Mr. HITCHCOCK. It may.

Mr. HARRISON. It provides in remote areas for nurses to take care of the mothers and the infants.

Mr. HITCHCOCK. The Senator realizes that there is growing up now a practice by which wives expecting to become mothers go to a hospital for that purpose. I do not imagine this provision means anything more than the ordinary use which women make of hospitals. To my mind it is more a matter of nursing, more a matter of milk supply, more a matter of promoting the ordinary hygienic practices which any intelligent people know how to use without calling in a physician.

Mr. HARRISON. If the bill stops at that, the Children's Bureau, it strikes me, could function, and very properly function; but when they have to employ trained nurses and do this hospital work, they have evidently got to go and get a corps of trained people.

Mr. HITCHCOCK. The Senator is laboring under a misapprehension. It is proposed under the provisions of the bill that each State will employ nurses under the supervision and guidance of the Children's Bureau.

Mr. HARRISON. But this bureau must approve everything that the State recommends before anything can be done by the State. There must be complete cooperation there.

Mr. HITCHCOCK. I understand the Senator in charge of the bill, by accepting the amendment of the Senator from Montana [Mr. WALSH], has already recognized the fact that the State authorities are the ones who are to administer the bill—that is, to apply it in each particular State—and I think that is a very important safeguard.

Mr. WALSH of Montana. Mr. President—

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Does the Senator from Mississippi yield to the Senator from Montana?

Mr. HARRISON. Certainly.

Mr. WALSH of Montana. I was rather astonished by the statement just made by the Senator from Mississippi to the effect that the State can do nothing, not even the hiring of a nurse, without the approval of the Federal board.

Mr. HARRISON. No; the policy to be outlined by the State, I understand, must be approved by the authorities here.

Mr. WALSH of Montana. I do not so understand it. I understand that when a State meets the requirements of the bill it gets the aid; that is all.

Mr. HARRISON. Is it the understanding of the Senator from Montana that the way the money is to be used by the States is not to be approved by the authorities in charge of the work here in Washington?

Mr. WALSH of Montana. I see nothing that so provides at all. The State gets the money when it establishes a board and meets the requirements of the bill.

Mr. HARRISON. I think that is the way it ought to be.

Mr. WALSH of Montana. If it is not, I agree with the Senator from Mississippi.

Mr. HARRISON. I had the impression from reading the bill, and I have not given it the study that I should, that there was a complete cooperation here between the Federal Government and the States, and that the plan which was promulgated by the State must be approved by the Federal authorities.

Mr. WALSH of Montana. True, but it is understood that the operations are to be carried on by the State. I should have called attention, when I was speaking before, to a very specific provision found in section 2. I read from line 12:

That there is also authorized to be appropriated for the use of the States, subject to the provisions of this act * * * \$2,000,000—

And so forth.

That is appropriated for the use of the States. The Federal board, it is true, is directed to cooperate with the State authorities, and it does seem to me it would not be cooperating with the State authorities if the State authorities desired to hire a nurse and the Federal authorities could say, "No; you can not do that." Of course, if the Federal board is given the power to put a veto upon every detail that the State board may choose to enforce or require, you might just as well abolish the State board and put the whole administration in the hands of the Federal board here in Washington. I do not so understand it, I will say to the Senator.

Mr. HARRISON. I agree thoroughly with the Senator in what should be done, but I think the language of the bill is not very clear along that line.

Mr. SHEPPARD. May I say to the Senator from Mississippi that the bill was largely prepared in the Children's Bureau. It is the outgrowth of the work and experimentation of that bureau, the development of facts which grew out of investigations made by that bureau in the course of its official work.

Inasmuch as it is a logical outgrowth of the work of the Children's Bureau, I believe it to be more advisable to leave it under the supervision of that bureau.

Mr. HARRISON. Mr. President, I dislike very much to put myself in the attitude of opposing whatever the Children's Bureau desires, but if we really mean to accomplish what it seems we desire to accomplish by this bill, if we desire that this bill shall render some service in promoting the care of infants and their mothers, we ought to go about it, it seems to me, in the best way. The Public Health Service has its experts; it has experts on all matters pertaining to health, while the Children's Bureau have not. For that reason, it struck me that the amendment offered by the Senator from Utah [Mr. KINE] was a very sensible amendment.

If the bill did not go any further than, as suggested by the Senator from Nebraska [Mr. HITCHCOCK], in diffusing information such as that contained in the document which has been issued by the Children's Bureau, it would be right to lodge these powers there; but when it is proposed to enter the field of hygiene in cooperation with the States, to employ nurses, act in conjunction with hospitals, and go out into remote areas and render the service, it seems to me that the best agency to function and to function well is the Public Health Service.

Mr. RANSDELL. Mr. President, I rise to corroborate the opinion expressed by the Senator from Montana [Mr. WALSH]. I have been supporting the pending bill as strongly as I knew how to support anything, but if I thought that we were to have a great bureau here in Washington telling the people of my State what they should do with the money provided, I should oppose the bill just as vigorously as I am now supporting it. I do not conceive the bill to be framed along that line at all. I think the bill contemplates that the Children's Bureau shall aid in carrying on this great work, which all of us believe so important, but that the money shall be expended by the various States without any very material interference from Washington; and that there will be preserved to the States all the rights which should properly be preserved to them. If I were not firmly convinced of that fact I should not be supporting the bill. With that idea in view I can not see why we should not permit the Children's Bureau to take charge of this matter instead of the Public Health Service.

The Children's Bureau, Mr. President, will cooperate in an educational way, in a helpful way, with the authorities of the various States. It certainly has displayed in the past, as the Senator from Nebraska has demonstrated, a great deal more interest in this particular question than the Public Health Service has displayed. I am not saying anything against that service, however. It is one whose activities have been marvelously beneficial to the Nation, and it has on its hands a great deal of necessary work to perform all the time. It is as

busy as it can be, and there is no reason why we should load it down with this additional duty.

I feel very strongly on the subject, Mr. President, that we should leave the bill as it was prepared by the committee, and I believe that if its provisions are carried out in the spirit of its conception it will do immense good and will not in any way interfere with any of the rights of the States.

Mr. HARRISON. May I ask the Senator a question before he takes his seat?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Mississippi?

Mr. RANDELL. I yield.

Mr. HARRISON. It appears that I am the only Senator who has any doubt about this proposition. On page 7 there is an amendment which has been put in by the committee which reads:

That the cooperative work in promoting the care of maternity and infancy shall consist of instruction in the hygiene of maternity and infancy through public health nurses, consultation centers, and other suitable methods, and the provision of medical and nursing care for mothers and infants at home or at a hospital when necessary, especially in remote areas; and this work shall be carried on in such manner as may be mutually agreed upon by the Federal board and any State receiving the benefits of this act.

In other words, if a State receives any money, the Federal board must agree with them as to the manner in which it is to be used.

Mr. RANDELL. In a general way, that is correct.

Mr. HARRISON. Yes.

Mr. RANDELL. The Federal board will have studied the whole question not only with the light of its investigations in this country, but in all other countries. Other countries as well as our own have dealt with this subject, and with the information which the board will have as a result of its investigations throughout the world it will be able to prevent the States from making mistakes.

Mr. HARRISON. Does the Senator from Louisiana believe that the Children's Bureau is better versed on hygiene and sanitation and matters affecting maternity and the care of infants than is the Public Health Service?

Mr. RANDELL. I am inclined to think that it is better versed on those subjects and will make a much more detailed investigation of the particular subject than the Public Health Service will make. I feel that to be so.

Mr. WALSH of Montana. Mr. President, I am quite sure that there is some justification for the position taken by the Senator from Mississippi [Mr. HARRISON] in the language of the amendment to which he has called our attention and to which I had been giving some study just before the Senator spoke.

I can not see why that amendment was ever put into the bill. It is, as Senators will observe, a substitute for the language of the bill as it was originally reported. I do not think that any confusion of thought can possibly arise concerning the matter under the bill as it was originally framed; but there is some ground, I am free to admit, for the contention made by the Senator from Mississippi that under the provisions of the amendment the State authorities might be blocked in what they wanted to do by a refusal of the Children's Bureau to agree with them upon the method of procedure. Of course, if the work is to "be carried on in such manner as may be mutually agreed upon by the Federal board and any State receiving the benefits of this act," and there should be a disagreement between the State authorities and the Children's Bureau, the work could not be carried on in accordance with the provisions of this particular amendment. The bill as originally introduced provides that:

SEC. 8. That any State desiring to avail itself of the benefits of this act shall, by its board described in section 4, submit to the Federal board detailed plans for carrying out the provisions of this act. These plans shall include the provisions to be made in the State for the administration of the act.

Then follows language somewhat similar to that incorporated in the amendment:

The provision of instruction in the hygiene of maternity and infancy through public health nurses, consultation centers, and other suitable methods, and the provision of medical and nursing care for mothers and infants at home or at a hospital when necessary, especially in remote areas. If the Federal board finds these plans to be in conformity with provisions and purposes of this act, due notice of approval shall be sent to the State board.

That is to say, the State must submit a general plan of what it is going to do in that direction. I think possibly the last sentence might be eliminated. That is also in accordance with the plan of the good roads act. Under that act the State applying for the aid submits to the Department of Agriculture exactly what kind of a road it is going to construct, how it is going to construct it, and so on, and if it meets the general

rules of the Department of Agriculture the aid is extended. I do not think that the bill is in any manner improved by the amendment proposed by the committee, and I submit that to the consideration of the Senator having in charge the bill and of the author of the bill.

Mr. FRANCE. Mr. President, as I read the language of the original bill and of the amendment proposed by the committee, I do not feel the language proposed by the committee amendment materially alters the bill, although I do realize that there is much, of course, in what the Senator from Montana has said. So far as I am concerned, I would be very willing, if a majority of the Senate should feel so inclined, to have the original language stand instead of the committee amendment which we have proposed.

Mr. MCKELLAR. Mr. President, I hope the Senator will agree to that and let the bill go through as it was originally planned. I think it would be much better if we can agree to let the bill go through as it stands all along the line, including the placing of its administration in the hands of the Children's Bureau. I trust, therefore, that the Senator from Mississippi will withdraw his objection to its being placed under the jurisdiction of the Children's Bureau.

Mr. HARRISON. Mr. President, my objection, perhaps, is not very consequential. The Senator from Utah made the motion, and it struck me as a very sensible amendment, and that, if adopted, greater service could probably be rendered under it than in any other way. If those who have made the fight for this proposed legislation, and those who are most interested in it—and they are all able—believe that the greatest service will be rendered if it is administered by the Children's Bureau, of course, that is all right; let them have their way; but it has struck me that the proper way to have this great service performed was through the Public Health Service, and for that reason, if the Senator from Utah insists on his amendment, unless I am convinced to the contrary, I shall vote for his amendment.

Mr. MCKELLAR. Mr. President, I hope the Senator will vote down the amendment of the Senator from Utah. This bill has been carefully prepared by the committee and those interested in it. In my judgment, its administration by the amendment of the senior Senator from Utah [Mr. SMOOT] will be put into the hands of the very best organization to effectuate and carry out its purposes. That organization is made up of those who believe in the measure, who are heartily for it, who are making a fight for it. Of course we know, nationally speaking, that it is an experiment, but why not put it in the hands of those who have taken an interest in it and who we know will continue to have an interest in it rather than put it into the hands of a bureau that may not want it? The Children's Bureau will take great interest in it; it is just as capable of managing and controlling it as is the Public Health Service, and I imagine very much more so. The bill deals with matters peculiarly affecting women and children and the bearing of children; it is a woman's measure; it is for the benefit of the women and the children of the land, and by all means its administration should be put in the hands of the Children's Bureau.

Of course, if we contemplate carrying out the details of the plan, the work will be carried on whether we put it in the hands of the Public Health Service or place it in the hands of the Children's Bureau. I wish, however, to appeal to the Senator from Mississippi to withdraw his objection to the bill as drawn and amended or to be amended, and to the Senator from Utah [Mr. KING] who has offered the amendment to withdraw the amendment. If we are going to pass this bill, as I think we ought to pass it, let us put the machinery which it provides in the hands of those who will make something out of it, who are interested in it, and who believe in it, and do not let us put it in the hands of an organization without knowing whether that organization will take any interest in it or not. That organization has already many other matters to look after, and I think it would be a much wiser and better plan to leave the administration of this proposed act in the hands of the Children's Bureau.

Now, just a word or two about the amendment reported by the committee. Like the Senator from Montana [Mr. WALSH], I am rather sorry that the wording of the original bill was changed by the committee. It seems to me that the original provisions of section 8, which the committee have recommended be stricken out, are full and ample and would be more workable than the amendment which has been suggested in lieu of it by the committee.

The trouble with the amendment—and I appeal to the chairman of the committee in reference to that—is that if you adopt the amendment you are likely to have trouble arising between the national authorities and the State authorities. Whenever

a provision of this kind is put in a bill it means that the authority and powers of the States are interfered with, and without reason, for Congress always has the power to make the appropriations, and that in itself gives enough power to the National Government. It can make these appropriations; it can appropriate the moneys provided for in this bill from year to year. It has to do it. They can be withheld if the State authorities do not do the right thing, and the State authorities know that. Now, to put in a provision that it must be made acceptable to the Federal board, in conformity with the rulings of the Federal board, is putting in a clause that is going to bring about some trouble, and unnecessarily, as it seems to me, because nobody knows better than the State authorities that it depends upon their action as to whether these aids will be continued by the Congress.

I sincerely hope the bill may pass. We are spending millions of dollars every year on far less deserving projects. We gave one hundred millions to starving, or alleged starving, people in Europe last year. Surely we might give this small sum to aid a cause like this at home. We are asked to spend a billion or more for war this year. Surely we might devote a million or two of that vast sum to save our women and infant children at home.

Mr. BRANDEGEE. Mr. President, will the Senator from Tennessee let me ask him a question?

Mr. McKELLAR. I have completed what I wanted to say, but I shall be delighted to answer any questions I can.

Mr. BRANDEGEE. It was in relation to the point made by the Senator, and therefore I thought it proper to direct the question to him.

Mr. McKELLAR. I shall be very glad to have the Senator do so.

Mr. BRANDEGEE. The language stricken out at the top of page 7 provides that—

If the Federal board finds these plans to be in conformity with provisions and purposes of this act, due notice of approval shall be sent to the State board.

Does not that give the Federal board the same authority to refuse the plan proposed by the State that the language in italics, which is the amendment proposed by the Senate committee, does? In other words, it seems to me that under the three lines stricken out, to which I have referred, all that the Federal board would have to do to compel the State to agree to their plan would be to say that, in their opinion, the plan proposed by the State was not in accordance with the provisions and purposes of the act.

Mr. McKELLAR. I very frankly admit that there is force in what the Senator has stated. However, if I may point out what I believe to be a difference, it is this: In the first place, it looks as if the plans are to be made in conformity with this law by the State authorities.

Mr. BRANDEGEE. Yes; but if the plan made by the State board and submitted to the Federal board should not be in harmony with the plan adopted by the Federal board, they, of course, would say that, in their opinion, it did not meet the purposes of the act, because the provisions that they are going to make are going to be for the purpose of carrying out the purposes of the act, presumably, in the best manner that they think they can be carried out.

Mr. McKELLAR. Now, let me ask the Senator a question: Does he think that they would decline? I think it very doubtful, though the plans were not approved absolutely. I think that the Federal board would be very likely to make suggestions, and state what would be approved, and the State authorities would be very likely to agree—that is, under the first provision, under the one that was stricken out. Under the second provision, it is a good deal stronger the other way. It says that—

This work shall be carried on in such manner as may be mutually agreed upon by the Federal board and any State receiving the benefits of this act.

There is not so much difference between the two as I thought there was when the Senator first called my attention to it. I think it would be better, though, to leave it as it was originally.

Mr. BRANDEGEE. I am inclined to agree with the Senator that the original language is preferable; but I will say this in reply to the Senator's question about what I think the board would do: He asks whether I do not think the board would be inclined to defer to the States in the matter in the interest of good administration. No; I do not. I think the board would be like most Government boards, and like most human beings who are charged with the execution of any duty. If they were fit for their business and interested in it, they would have very positive ideas about a plan to be pursued in cooperation with the States, and they would not be very competent for

their positions if they did not. They would have clear ideas about it, and in my opinion the idea of the people who are urging the passage of the legislation is to standardize the procedure under this machinery which is to be set up, so that Louisiana can not have one plan and one method of aiding the mothers and children of that State and Oregon have another.

I think the purpose in the minds of the members of the board and in the minds of the promoters of the bill is to have this thing function from Washington, and to have the ideas of the board in Washington—the board which the Senators who have urged this legislation praise and say would be specialists in the thing—prevail as to the administration of this joint Federal and State cooperative effort. The Washington board, the administrative board, would be the recipient of the ideas of the people and the local branches all over the country, and in the end the Federal determination of the matter would be supreme.

It is inevitable. They get their appropriations from Congress. Although the States might want to discontinue the service, they could not do it. Congress, if it appropriated or withheld the appropriations, would be the master of the thing, and the master of the whole scheme would sit here at Washington.

In saying that I am not attempting to detract from the merits of the bill, because this and other related subjects are in themselves most commendable. The only question that ever entered any Senator's mind, I assume, as to whether he should vote for this sort of legislation or not, is whether he thought it was more legitimately a part of the Federal Government's activities or more legitimately a part of the activities of the several States. But if this bill passes I do not believe there is any Senator who has so recently arrived here, or who has learned so little about the operations of governmental departments, that he can for a moment think that any State can have its way about the administration of this law, irrespective of the Government or the plans that the other States have agreed to, except by retiring from the plan.

As long as the State participates with the Federal Government it has got to fall into the plan of the Federal Government. The majority of the States will do so. They will not want any quarrel with the Federal board; and the object of this and all similar bills is to standardize the method, to standardize the public health, to standardize the sanitary appliances and rules.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Tennessee?

Mr. BRANDEGEE. Certainly.

Mr. McKELLAR. Does not the Senator think that it would be best for the interests of these mothers and children that the best methods of handling them should be obtained? Will we not get the best results in that way?

Mr. BRANDEGEE. Certainly; the only question is, Who is the best judge as to what is the best method?

Mr. HARRISON. Mr. President—

Mr. BRANDEGEE. The only question is whether the board in Louisiana, that knows the mothers and babies in Louisiana, is better adapted to prescribe the method and the kind of care that they need or whether the Federal board here is better qualified, and whether the standards and whether the methods should be the same in all the 48 States, irrespective of the different conditions which prevail.

Now, I do not expect to oppose this bill. I expect to vote for it, but I can not do so without saying this:

I know that it is—I will not say the forerunner, because there have been other bills that foreran this—but it is one of a series of proposals that are to be brought before Congress by which the National Government is to be put in charge of things heretofore managed by the people of the several States and the cities, and the National Government is to take the lead and to put up at least half of the money and to take the responsibility of the administration. The people of the States, if there be any such, who think they are getting something out of the National Government, something extra, something that will not come out of their own people, of course are mistaken. The State will tax its citizens for its share, and then the National Government, in order to get its share, will simply tax the States over again for the National Government's share.

The States are going to pay for this thing; the people of the several States are going to pay for it, whether it is done by the States or the National Government, or half and half, the National Government and the States.

But what I started to draw attention to is this, Mr. President: All these things involve, in my opinion, the fundamental consideration of what is the province of government. Now, it may be, and I think it is coming to be held, that it is the

province of the Government to give every person a living, to see that he is comfortable, to see that he has food and clothing and housing and medical attendance. If he has been unfortunate in the world, or is poor, or has been sick and has not the money, then there shall be a Federal board appointed, and the people of all the country shall be taxed to furnish him with coal and food and clothing and a house and attendance; because there can be no difference in principle in furnishing medical men and nurses and medicines and hospital appliances to mothers and children who are in need of them and in furnishing them with coal and clothing and proper housing conditions. Those who would bring children into the world and see that they are attended to when they are babies, that they have sanitary appliances in the processes of birth and their infancy, would be doing those infants a very small favor if, after they were properly born and put into swaddling clothes, they were abandoned to starvation and freezing, and liable to be put outdoors and endure the inclemency of the season.

So I say that if the principle of this bill is correct, and if the Government admits that it is its duty to go thus far in furnishing medical attendance and nurses and other proper assistance so that the babies may be born under good conditions, then it seems to me it is equally the Government's duty to see that they do not suffer when they get to be a little older, a month or a year older.

Of course, infancy, as alluded to in this bill, is undetermined in duration, unless it be the time which the law gives to the word "infant," which is until he is 21 years of age. If all the boys of the country are to be cared for by the Government until they get to be 21 years of age, the other people will have to abandon the 8-hour law, and work harder than they have ever worked before to support them.

That is an extreme case, and I do not suppose any Federal board would so rule. But you have a bill with such general terms in it as that. And of course this board, under the general terms of the bill, has to be pretty nearly absolutely a law unto itself. There is no appeal from its doings or its decisions, except where the board cuts a State off from its pro rata share of the appropriation, and then the bill says the State board may appeal to Congress. Of course, anybody can appeal to Congress, but if Congress is to stand here and reverse the decisions of a Federal board every time it disagrees with a State board, or to act as a court of appeals to sustain them, it would not be very efficient administration, Mr. President.

As I said, there is a whole line of questions in contemplation, and it may be that if the Government is to be a maternal government as well as a paternal government, there is no getting-off place for us. I recognize the force of the statement that if it is the duty of the Government to appropriate the people's money by the millions for the eradication of hog cholera, and the boll weevil, and the cattle tick, and the wheat rust, and everything that does damage to anybody, it is equally the duty of the Government to furnish proper treatment for sick people.

The Agricultural appropriation bill, Mr. President, would have been considered by most statesmen and public men and lawyers and writers upon governmental subjects 20 years ago as a chamber of horrors. Nobody knows whether the appropriations in that bill, which have been criticized upon the floor of the Senate year after year, but still go through, are constitutional or not. Everyone recalls the gamut of subjects for which we appropriate, field agents to go around and instruct the women on the farms and remote places of the country who are not supposed to know about home economics, how to take care of the kitchen, how to cook, how to make pies, apple sauce, cottage cheese, and so forth. Everybody is doing it and there is no end to it, and, as I said, I see no reason for anybody to criticize this bill or any bill which may succeed it, or any proposition which may come to us, if the appropriations in the Agricultural appropriation bills conform to the provisions of the Constitution.

This is a most commendable subject. Nothing could be more important than that the helpless infants, born into the world, should be properly taken care of. There is no comparison, of course, between taking care of the future citizens of the country, if they can be brought to maturity, and the taking care of our animal or vegetable life. So, holding to the kind of governmental ideas that I have absorbed during my life, I regret that the people do not want to do these things for themselves in their own localities, but prefer to shove them off on the Federal Government at Washington. While I think they were mistaken in starting upon that policy, while I think that not only are they abandoning their right to local self-government and home rule, which I believe is the strength of the citizens of this country, and of the country itself, still they appear to be willing to do

it. Some of them, I think, are enticed by the prospect of getting something out of the Treasury which they think comes out of the United States Treasury without coming out of the pockets of their own citizens. They are dazzled by these large sums which are shown to them all at once, all collected from the Treasury of the United States, and are told, "Just match this, and you have twice the money you could raise from your own State, and half of it is money out of the Government." They have sold their birthright for a mess of pottage, so to speak.

I regret that these humanitarian efforts are not concentrated at home upon themselves, for I think that each State, if the effort were brought upon it, and each State legislature could be prevailed upon to appropriate the money necessary to care for the sick and the poor and the needy in that State, and if they do not want to do it they are not only heaping a load upon the Federal Government which endangers its existence but they are heaping a load upon Congress in the annual appropriations for these purposes, and in the levy of the taxes to provide the money, which is making all sorts of dissatisfaction in the country, and the country does not understand the cause of it. The country, bowed down with taxation, which everybody now is begging us to relieve it from, at the same time is demanding in stentorian tones that we lay more taxes for the purpose of putting the Federal Government into these channels, which, in my opinion, the framers of the Constitution never for a moment contemplated that the National Government should enter upon.

But, worse than all the financial obligations which are imposed by this policy, in my opinion, is the fact that it takes away the capacity of the people at home to govern themselves. They want everything done by Congress now, and then complain that it is not done properly. It diminishes the sense of responsibility by the voters at home to have the Federal Government enter into all these things which they used to manage for themselves.

It may be that the Federal Government will do it better—I do not know; but, as I said, these being very commendable things, and the Government having decided to do them, there being precedents for it, really I do not see how anyone can vote that it is the Government's duty to cooperate with the States in building highways, which is a commendable purpose, but it is not the duty of the Government to cooperate with the States in protecting the people from disease or in taking care of the children.

Mr. KING. Will the Senator permit a suggestion there?

Mr. BRANDEGEE. Certainly.

Mr. KING. Mr. President, the Senator of course recalls that under the Constitution the Federal Government has the right to build post roads and military roads, and it has been held by many strict constructionists of the Constitution that under that constitutional authority the Federal Government may make appropriations for the construction of highways, post roads, and military roads—that is, highways for post roads and for military purposes, and that in the execution of that constitutional authority it may collaborate with the States. It seems to me that the power of the Federal Government with respect to the construction of post roads and military roads may not be challenged. Yet, in conceding this authority to build roads and highways, this authority is to easily be distinguished from its authority to make appropriations for the health of the people. It occurs to me that if there is any duty resting upon the States it is the duty of educating the citizens within the States, and if the obligation rests upon the State of caring for the poor and the needy and giving succor to those who are in need of financial or other aid, that it can not be transferred to the Federal Government. There is authority for the construction of roads, but there is not authority, it seems to me, or at least it does not occur to me at present, for the Government to make appropriations to build hospitals and to furnish medical aid and assistance to the people within the States.

Mr. BRANDEGEE. Of course there is no question of the constitutionality of Congress having the power to establish post roads; but that is not what I am talking about, Mr. President. I am talking about the Bankhead good roads bill, which was not designed for post roads or to carry the mails, nor for military roads, but was designed for the high rollers who want to roll over the country on rubber tires, and every automobile club in America was back of it, and they started it and originated it. It was not confined to trunk-line roads between the States, which would promote interstate commerce, but there was a corollary to it, if I remember correctly, which applied to the building of intrastate roads, right in the States themselves, and little roads leading to the farms.

The argument was that the farmer who did not happen to have access to one of the big trunk lines to be built was just as much entitled, by reason of the taxes he paid, to have a good

road coming to his farm, so that he could market his vegetables and save horseflesh and wear and tear, as were other more fortunately situated men.

I regard the Bankhead good-roads bill, be its merits what they may, as the prototype of this legislation. It was a very ready refuge and shield of those who were met by decisions of the courts, that the Federal Government could not walk into the States and absorb the police powers of the State because it gave them an alternative by which, under the cooperation between the Federal Government and the several States, the Federal Government could be eventually made the director, the standardizer, and the promoter of all these things. Mr. President, I predict that in time every one of the States which rejoices in the receipt of the Government stipend in the beginning of the operation, under one of the bills founded upon this pattern, in the end will come here and say, "You have loaded us down with taxation which we, as poor States, can not any longer stand, and we demand that the Federal Government assume the entire expense of this work." A Senator remarked on the floor yesterday or the day before that some of the States were demanding that the Government's duty was to build the roads of the country and to pay for them exclusively. And why not, they ask? Are not these highways? Are not the citizens of one State, as well as of another, entitled to travel freely over all the highways in the United States? Is it possible to differentiate the amount of traffic in interstate commerce from one State to another, in these days of the automobile and the motor truck, from the intrastate traffic over the road confined entirely within the limits of the State itself?

So I predict that they will be here saying the entire expense of the good-roads movement, of this bill, meritorious as its object is, for the protection of mothers and their infants, and of other bills of a similar nature which we are advised are to follow, should be assumed by the Federal Government; and that then, when they have drawn in the majority of the States, tempted by the bait that in some way they are getting something for nothing out of the Federal Government, having standardized the operation of the business and having a majority of the States, then a constitutional amendment will be brought in here to make it constitutional to compel the other States to come in, whether they want to or not, and join the procession which started as a voluntary matter entirely. The States which offered themselves as volunteers in a good cause will then militantly demand that the States which are so backward or sullen, in the opinion of the volunteer States, as not to appreciate the blessings of this great national reform, will be drafted and conscripted under a constitutional amendment, willy-nilly, to join the noble procession.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Tennessee?

Mr. BRANDEGEE. Certainly.

Mr. McKELLAR. It is not obligatory upon any State to accept these things.

Mr. BRANDEGEE. Oh, I did not say that it was.

Mr. McKELLAR. Or anything in the bills to which the Senator refers.

Mr. BRANDEGEE. No. The Senator evidently has not followed my prediction. I say they are volunteers at first, willing volunteers, volunteers for the bounty they will get out of it. They think it is coming out of the Federal Treasury and not hitting their own citizens. Then, when they volunteer, they point the finger of scorn at the slacker State which declines to come into the uplift movement ratified by the Federal Government, and they will propose a constitutional amendment. Then we will have the same forces that are compelling the passage of this and similar bills let loose upon the legislatures of the several States, just as they were when they adopted the national prohibition amendment. There is not a legislature of a single State that can or will stand up against that pressure, although the people of the State may be utterly opposed to that action of their representatives in the legislature.

Mr. McKELLAR. The Senator speaks of the prohibition amendment. It is true that we have adopted that, but the Senator would not undo it to-day?

Mr. BRANDEGEE. No.

Mr. McKELLAR. Is it not a wise and beneficent amendment?

Mr. BRANDEGEE. I did what I could to prevent its adoption at the time, and I shall always be proud of it, because I think it was an outrage to amend the Constitution of the United States in a matter of that kind involving the personal habits of the people at home in their daily life, for the Nation to make a constitutional amendment of what ought to be a statute or an ordinance, a sumptuary ordinance, putting it basic-

ally in the Constitution and compelling great cities and States, who did not want to pattern their lives after the rule prescribed by two-thirds of the Congress or three-quarters of the legislatures, to act, not by their own votes but by the votes of one legislature which ratifies the amendment and then scatters to shelter.

A constitutional amendment in a matter of that kind never was dreamed of until recently—a constitutional amendment made by the votes simply of legislatures, including this one, no governor participating in it, no President participating in it, no executive of any kind having the veto power of the acts of the Congress or of the State legislatures, no submission to the people, either of the country or of any State or city, put across on the people without half their knowledge and without their consent. God save the mark, if we are to continue to make the Constitution of the United States the fundamental law of the land, the vehicle for governing one-quarter of the States against their will, although they may be the biggest and richest and most powerful in the Union, at the whim of three-quarters of the other States' representatives.

Mr. OVERMAN. Mr. President—

Mr. BRANDEGEE. I yield to the Senator from North Carolina.

Mr. OVERMAN. The Senator from Connecticut introduced a constitutional amendment, I think, providing that no amendment hereafter shall be adopted unless by a vote of the people. I think that would be a great amendment for us to adopt at this Congress. It would save a great deal of trouble in the future. It seems to me that the passage of that joint resolution would be good legislation.

Mr. BRANDEGEE. I did introduce a joint resolution proposing the amendment to provide, as to future attempts to amend the Constitution of the United States, that the Congress might submit the amendment to the electors of the several States as well as to the legislatures or the conventions held in them. I think it is a wise thing to do. The Judiciary Committee reported it favorably and it is on the calendar. I had it up for consideration several times at the last session of Congress, but inasmuch as we were just freshly emerged from two constitutional amendments which had not been submitted to the people, I did not want anyone to think that that amendment, which I designed to apply to the future solely, should be thought to apply to the past or in any way to be in derogation of what had already been done.

That proposed amendment to the Constitution is still on the calendar, and I hope, when the Senate can devote the proper time to its consideration, to call it again to the attention of the Senate, for it is an important matter and ought to have due consideration and not be put through when there is simply a handful of Senators on the floor.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Colorado?

Mr. BRANDEGEE. Certainly.

Mr. THOMAS. I am largely in sympathy with the purpose sought to be subserved by the proposed constitutional amendment, but let me ask the Senator if the last two amendments were adopted in any other manner or by any other process than was utilized in the adoption of the first sixteen?

Mr. BRANDEGEE. Oh, no; they were adopted in a perfectly constitutional manner. I have no criticism to make upon that. They are just as much a part of the Constitution and just as valid as the original Constitution or as the Bill of Rights, or the first 10 amendments. The point I make is that I did not then believe—it is immaterial now, because it is in existence—and I do not now believe that the Constitution of the United States, being the great charter of our liberties, as describing what kind of a Government we have here, dividing and separating the powers of the Government into its coordinate branches, describing what shall be the power of each, guarding public rights, guaranteeing that private property shall not be taken for public use without just compensation, and fundamental things of that kind, almost logical conclusions from Magna Charta—I do not believe that great instrument should be made the repository for sumptuary laws.

I do not think we ought now to attempt to amend the Constitution by putting into it the Sabbatarian blue laws of the ancient Puritans. I do not think we ought to put into it a curfew law saying what time the people of the different States shall go to bed nor what they shall eat nor how many pieces of mince pie, without any hard cider in it, they shall be allowed for Christmas dinner.

Mr. THOMAS. Does not the Senator know that the contention is—and that contention is largely supported by previous and pending legislation—that the National Government through

Congress has the power to do all those things under the Constitution as it now exists?

Mr. BRANDEGEE. Yes, I agree; and I shall not be surprised to see the attempt made, but I say I do not believe that such a class of subjects affecting the people in their daily life, in trivial matters, should be put into the fundamental law of the land where, if the people in the practice of the things find they do not work or are offensive and outrageous, they can not be repealed.

Mr. THOMAS. I fully agree with the Senator.

Mr. BRANDEGEE. A sumptuary law, meaning a law providing what may be consumed in food or drink, should not be dignified and made a plank in the great national charter defining our liberties; but it has been done. Human beings are so constituted that if a certain schedule by which they are to regulate their daily conduct does not work or gives more trouble than it does good, they ought to be able to have it repealed; but when you get a constitutional amendment, which requires not only a two-thirds majority of both branches of Congress concurring but the affirmative vote and approval of the legislatures of three-quarters of all the States, and it is then embedded in the fundamental law of the country, if it does not work in certain sections of the country it is impossible to get three-quarters of the States to reverse their decisions and two-thirds of both branches of Congress to reverse their decision. Inasmuch as sumptuary laws and statutes regulating daily conduct are liable not to work as anticipated, inasmuch as they are largely experimental, they ought to be passed by bodies where, if the experiment does not work, the body can repeal them or modify them. They ought not to be put in the Constitution.

But I say that water is all over the dam. I do hope that in the future we can amend the Constitution by the amendment to which the Senator from North Carolina refers, so that in the future the Constitution of the United States shall not be amended except by vote of the electors of the several States, so that the people can have something to say about the making of their own Constitution and not have to rely entirely, as they do now, upon the votes of the legislatures.

Mr. President, it seems that we can not consider any bill without dragging in the poor old Constitution. Nevertheless, I did not drag it in; but now that it is in, I want to pursue just for a moment that subject.

The constitution of no State in the Union can be amended without submitting the proposed amendment to the electors of that State, but the Constitution of the United States, preeminent over them all, can be amended simply by the vote of Congress and the State legislatures, without submission to any elector in a single State in the Union; and when so amended the Federal Constitution ipso facto amends every State constitution which itself is incapable of amendment except by a vote of the electors of its own State. That presents, to my mind, a perfectly anomalous state of affairs and an undesirable state of affairs.

Mr. President, I have said all I want to upon that phase of the question. I rose simply to call attention of the Senator from Tennessee [Mr. McKellar] that, in my opinion, there is no substantial difference between the amendment proposed by the committee on pages 6 and 7 and the provision of the original bill. It is perfectly immaterial to me which is adopted. I think the same results will flow.

Mr. KING. Before the Senator resumes his seat, I desire to say that I understood the Senator to state, in answer to an inquiry propounded to him by the Senator from Mississippi [Mr. Harrison], that operations under this bill would be standardized in all of the States; and he expressed his approval of a policy that would lead to the standardization of the methods by which the bill would be enforced.

Mr. BRANDEGEE. No; the Senator from Utah misunderstood me.

Mr. KING. I am very glad to know that.

Mr. BRANDEGEE. I say that I think the object of the promoters of the bill is to standardize its administration, and that the inevitable determination of the Federal board in operation would be to standardize it, for I do not think a Federal board will want to see a scheme which they may adopt for New York State said to be improper for some other State. Their object will be to have a uniform set of rules as to health, hygiene, sanitary administration, and everything else; everything will be standardized from their office. The field inspectors and agents that will be sent out to visit the families of the country will have the same instructions in their pockets; every blank and every circular that is printed will be standardized and will be known as Form 1, Form 2, Form 3, and so forth. The whole thing will work in national scope, as is the case with everything

that the Government has anything to do with. The advertising and the circularizing and information bureau and printing press and propaganda system—if that is a proper word to apply—will be standardized, just as in the case of the Forestry Bureau and in the other bureaus which went to such excess—no limitation having been put upon them as to their expenditures for the circulation of the ideas of the central authority—that, if I recollect correctly, the Senator from Utah [Mr. Smoot] last year either had passed through the Senate, or tried to have passed, a provision cutting out this endless, irresponsible duplication of propaganda that went on amongst different overlapping bureaus and departments of the Government here in Washington. No one of the Federal bureaus that is established, of course, is going to fail to spend less than the whole appropriation.

One of the chief functions of this bill, as I take it, is by a process of dissemination of Government circulars and information to educate the beneficiaries of the bill in the way they should go and to distribute for the benefit and guidance of the people pamphlets on sanitary and hygienic science. Anyone who examines this bill and similar bills can not help being struck by the fact that they are drawn in the broadest terms. Congress is to do the appropriating; the machinery set up in Washington is to make the expenditure, and is in the possession of absolute discretion. For the purposes of this measure Congress will not only appropriate this year \$2,000,000, or whatever the sum may be, but the bill authorizes the appropriation annually through six or seven other sessions of Congress of an increased appropriation. I do not know whether it is in the mind of the draftsman of this bill or not, that he can bind those Congresses to appropriate the money; I do not know, but I predict, as has happened in every similar scheme upon which Congress has embarked, that the sums mentioned here are simply for illustration.

If this bill is to fulfill a long-felt demand, and if the demand is universal on the part of 110,000,000 of people, scattered all over this country of empire extent, the sums mentioned here to fill the necessities of the case are simply ridiculous; they are microscopic. All the poor children and all the poor mothers in this country can not be taken care of and furnished food and doctors and the necessary conditions of comfort at the time of childbirth and for an unlimited time thereafter with \$2,000,000 a year or with \$22,000,000 a year or with \$200,000,000 a year, if the Government is going to do it.

Mr. KING. Mr. President, will the Senator from Connecticut permit an inquiry?

Mr. BRANDEGEE. Certainly.

Mr. KING. Is there anything in the bill to indicate the persons who will be the beneficiaries of the measure? Is it to be limited to the poor and the needy? If so, may it not be charged that such legislation is discriminatory? If the parent Government is to furnish doctors and medicine and hospitals in all maternity cases and to teach hygiene, is there any warrant for any limitation upon the number or character of the individuals who shall be the beneficiaries of the appropriation?

Mr. BRANDEGEE. I have read the bill, Mr. President, but that was several days ago, and I am not particularly familiar with it in all its terms. I do not, however, remember any limitation, as I recall the language of the bill. As I have said, it is couched in the most general terms. It does not even refer to women and children or to women and their babies. It is in aid of maternity and infancy. Of course, I know what maternity is; but whether it is to apply to the rich or poor or high or low I do not know. That, however, is for the Federal board to determine. They are bound by no limitations.

Mr. THOMAS. Mr. President, the word "infancy" has a legal definition, as the Senator from Connecticut knows. It includes all those under 21 years of age. Does the Senator think that it is possible under the terms of this bill that its provisions may be extended to all those under legal age?

Mr. BRANDEGEE. I think legally that would be possible, but I referred to that while the Senator from Colorado was temporarily absent from the floor.

Mr. THOMAS. I am sorry I was absent.

Mr. BRANDEGEE. Of course, I do not apprehend that any member either of the State or Federal boards would extend aid to an infant of 20 years of age unless it were an idiot or somebody who could not take care of himself.

Mr. THOMAS. Of course, there are degrees between the extremes of birth and 20 years of age. Does not the Senator think that it would be perfectly easy, in accordance with the terms of this bill, to apply its provisions to young children of 4, 5, 6, or 7 years of age?

Mr. BRANDEGEE. Yes; and I said that on principle, if the object of the bill is to guarantee that the future citizens of this

country shall be able-bodied and sound in mind and body, it is not enough merely to provide that they shall be safely and sanitarily brought into the world.

Mr. THOMAS. I think that is true, Mr. President. Of course, the Senator from Connecticut recalls in other times and in other countries caring for the spiritual welfare of the infant was a governmental function, and if we are to place within the jurisdiction of the Federal Government the physical well-being of the young, why not also extend it to include their spiritual and religious well-being?

In other words, a good citizen should be mentally as well as physically sound and well disposed, and, of course, religious sentiment being a common and elevating sentiment amongst humanity, as a consequence, if that is the function of the Government, does the Senator perceive any reason why we should stop merely at the physical side of his nature?

Mr. BRANDEGEE. I see no reason for it except that under our Constitution, as I recall, religious beliefs are to be tolerated but not interfered with.

Mr. THOMAS. That is true; but "what is the Constitution amongst friends"?

Mr. BRANDEGEE. They might not all be friends on that question.

Mr. THOMAS. That is possible; I hope not.

Mr. BRANDEGEE. If the Senator should attempt to standardize religion in this country, he would have his hands full.

Mr. THOMAS. That is true, Mr. President, and those who are attempting to standardize physical conditions will have their hands full.

Mr. BRANDEGEE. They will.

Mr. THOMAS. It is an absolute impossibility. I certainly would be the last even so much as indirectly to support or defend, much less champion, anything that would even have the appearance of the standardization of the religious sentiment, thought, and belief of the country, because I am opposed to that absolutely; but I think that, notwithstanding the constitutional inhibition, the tendency of what the Senator has very aptly called "sumptuary legislation" will reach a point where the distinction between the intellectual or mental or emotional side of humanity and the physical side of humanity will not cut much figure in our appropriation bills.

Mr. BRANDEGEE. Yes. The Senator may be quite right in saying that if it is the business of the Government to see that physically the children are standardized according to the ideas of those who are sure they are right about what the standard ought to be, in principle, perhaps, it is just as important that they should be standardized mentally—and that attempt is already being made and is pending before Congress—and morally; and when the Government attempts to enter into the realm of morals and legislate about them it will have its hands full.

Mr. THOMAS. Its hands will be full and its Treasury will be empty.

Mr. BRANDEGEE. Yes; the Treasury will be empty without any morals. But, Mr. President, I have no doubt this money will result in good when it is appropriated; it will help a lot of people who are in need of help. However, when any Senator asks me whether I think there is any limit to the beneficiaries who may apply for aid under it, or whether people who are able to help themselves may not apply, pretending to be poor when they are not, I can not tell him; all I can say is the bill leaves it entirely to the Federal board here and the State boards in cooperation with it.

I do say, however, that the appropriation is bound to grow. Anybody who will advertise that he has a fund with which to pay doctor's bills and hire nurses and furnish hospital attendance and take care of people in need will have his doorbell rung all night and all day. This will be a popular board, so long as it furnishes the appropriation. There is a proposition now to apply the same principle to the schools.

Mr. THOMAS. Yes, Mr. President; and the identical propaganda behind this bill is behind the other. They are coupled in all of the letters and telegrams which I received.

Mr. BRANDEGEE. I myself think the names of the two bills have become confused in the public prints.

Mr. THOMAS. They are, but not in the petitions that reach me. They are mentioned not only by name, but by number. I have no doubt that the other bill will be pressed after the pending measure has been disposed of, and as a consequence, if it passes the two Houses and is approved by the President, the educational interests of the country will pass under the domination of a Federal bureau.

Mr. BRANDEGEE. I hope the several States will maintain control of their own schools, Mr. President; but I shall not attempt to cross that bridge until I come to it.

Mr. THOMAS. Mr. President, if the Senator will permit me, I think many of the State officers are supporting the educational bill. They seem to see in it another opportunity to rid themselves of a very great responsibility, and an expensive one. I do not say that is true of all the States, but if my correspondence is any indication, I know it is true of several of them.

Mr. BRANDEGEE. I have no doubt that is so; but, Mr. President, because I vote for this bill I should not want it to be inferred that I shall vote for the Smith-Towner bill, if that is the name of the educational bill. As at present advised, I could not support that bill; but, as I say, there will be others coming along based upon the same principle as this, and it may be that I could support the whole line of bills of this kind. But, Mr. President, I want to say this:

When the ardent friends of measures make lists of measures in which they are interested; when the great organizations of the country formulate legislative programs, or agenda, I believe the word is in the League of Nations lingo; when they take pen in hand and formulate congressional or legislative agenda consisting of mere general topics of improvement, things that the Government ought to do, and send them on to you and ask you to mark with a cross "yes" or "no," which you are in favor of and which you are opposed to, before the bills have been drawn or introduced, or before the committees have heard the evidence about them, or before the Senators who do not happen to be members of the committees to which they are referred have had any opportunity of hearing from the committee, or reading the committee's report, or listening to the debate, I feel compelled to notify the interested parties that I have to see the specific bill, not only drawn up in coherent and intelligible English language, but I have to consider the relation of one section to the others, and I have also to reserve nailing myself to the cross as to whether I shall vote "yes" or "no" on it until I see how it is amended and in what particular form it comes before the Senate; and sometimes I am not willing to hang myself on the hook of the central office of the propaganda back of the bill until the roll is about to be called.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Colorado?

Mr. BRANDEGEE. I yield to the Senator.

Mr. THOMAS. I want to say to the Senator that I received such a list the other day, and I marked most of the measures with a double cross.

Mr. BRANDEGEE. Some of them ought to be marked with a double cross—I will not say all of them. I have not double-crossed this one.

That is all I care to say, Mr. President.

The PRESIDING OFFICER. The present occupant of the chair understands that the Senator in charge of the bill, without objection, withdrew the committee amendment found on page 7, which restored section 8 as originally introduced.

Mr. HARRISON. Mr. President, I desire to offer an amendment to that section.

Mr. SHEPPARD. There is another amendment pending at the present time.

The PRESIDING OFFICER. The amendment of the senior Senator from Utah [Mr. Smoot] is pending.

Mr. KING. Mr. President, there is an amendment which I have offered to the amendment tendered by my colleague which has not been disposed of.

Mr. SHEPPARD. The amendment of the junior Senator from Utah [Mr. King] is pending.

Mr. McKELLAR. May the amendment of the junior Senator from Utah be stated?

The PRESIDING OFFICER. The Chair is informed that the first amendment of the senior Senator from Utah has not been agreed to. The amendment has been offered, and, without objection, it will be agreed to.

Mr. KING. One moment, Mr. President. If the first amendment offered by my colleague is the one found on lines 10, 11, 12, and 13, then I desire to state that it has not been agreed to.

The PRESIDING OFFICER. The Chair will state that it is not that amendment. The amendment will be stated.

The READING CLERK. The first amendment offered by the senior Senator from Utah is on page 1, to strike out all of line 10, and on page 2 to strike out lines 1, 2, and 3, and insert:

For the use of the Children's Bureau, for the promotion of maternal and infant hygiene, for the administration of this act, and for the purpose of making such studies, investigations, and reports as will further the efficient administration of this act.

The PRESIDING OFFICER. That is the first amendment offered by the senior Senator from Utah. The question is on agreeing to that amendment.

Mr. KING. Mr. President, my amendment, I think, probably should also extend to the first amendment offered by my colleague, and I therefore move to amend the amendment which has just been read by striking out the words "Children's Bureau" and inserting in lieu thereof "United States Public Health Service."

I will ask to have that amendment stated.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the junior Senator from Utah to the amendment offered by the senior Senator from Utah.

Mr. KING. After it is stated I desire to submit one or two remarks.

The READING CLERK. On line 3 of the amendment strike out the words "Children's Bureau" and insert the words "United States Public Health Service," so that, if amended, it will read:

For the use of the United States Public Health Service, for the promotion of maternal and infant hygiene—

And so forth.

Mr. KING. Mr. President, the Senator from Tennessee [Mr. McKellar] a moment ago combated the amendment which I offered to the second amendment tendered by my colleague. He contended that the activities of the Children's Bureau had been so extensive and so beneficial that this bureau ought to have committed to its care the administration of this important bill.

I have had occasion to make some little investigation into the workings of the Children's Bureau, and a number of persons have complained to me of the inefficiency and the extravagance of that organization. I am not able to determine whether the complaints made are well founded or not. Certainly if we are to believe the statements made by the distinguished Senator from Wyoming [Mr. Warren], the chairman of the Committee on Appropriations, the charge that this bureau has been extravagant would seem to be justified. Starting out with a demand for a small appropriation, \$25,000, and insisting that that is all that would be required, it now makes a demand for six or seven hundred thousand dollars. The Senator from Colorado [Mr. Thomas] corrects me and states that it is between seven and eight hundred thousand dollars, and, as I recall the figures submitted by the Senator from Wyoming, the salaries of the employees of that bureau for one period of its existence consumed 50 per cent or more of the appropriations which were made for the bureau. The appropriations asked for now, or the estimates for the coming year for that bureau, amount to substantially \$200,000 for the expenses and salaries alone of its numerous employees.

Mr. President, this bureau is merely an illustration of the rapacity of other bureaus of the Government. If we create an organization or a bureau or any Federal instrumentality, and attempt to circumscribe its activities by the most drastic statutes, we find that we are absolutely unable to curb its activities and to restrain its voracious appetite for enlarged appropriations, and when we attempt to limit within a legitimate field its operations, it projects itself into other fields and invades other avenues of human endeavor, and comes here and demands an extension of its functions, and a greatly enlarged appropriation for the purpose of compensating the army of employees that attach themselves to it.

Mr. President, there seems to be no way of limiting these bureaus and Federal agencies. They seem to thrive upon statutes which seek to limit their activities; and if we do not make an adequate appropriation to cover their operations deficiencies are created. Congress, instead of refusing to meet these deficiencies, makes appropriations, no matter how large, to cover them. The criminal statute prohibiting the creation of deficiencies is flouted by officials, and the action of Congress treated with contempt.

I do not see any reason why the administration of this bill should be committed to the Children's Bureau; and if it is to be committed to one of the bureaus in the Labor Department, it seems to me that it would be better to commit its administration to the Woman's Bureau. That is an organization recently created.

I am not quite clear as to the functions of that organization. Perhaps the officials of that organization are not clear themselves; but I make the prophecy to Senators that it will be here soon, knocking at the doors of either the House or of the Senate for increased appropriations mounting up into the hundreds of thousands if not into the millions of dollars and demanding that its field of operations be extended until it will invade the operations of the States, the activities of the schools, and other organizations clearly local and domestic in their character.

I ask again, why commit the administration of this bill to the Children's Bureau? It has been conceded that one of the principal functions of this organization is to care for maternity cases, to take care of children, to arrange for hospital service,

and for nursing service, and for medicines, and for instruction along the line of hygiene and medicine and medical development.

Mr. President, the science of medicine is a progressive one. Perhaps the medical men of the United States and of the world are more progressive than those in almost any other profession. The physician of 10 years ago, unless he has been a student and attended postgraduate courses, is incompetent to enter the homes of the people and minister to their needs because of the great discoveries and advances which have been made. In the Public Health Service we have men who are charged with the health of the people. They are studying the great questions of the conservation of the health of the people. They are in contact with medical men from all corners of the world. They are attending the great medical organizations, not only in the States but organizations international in character. They are paid for the purpose of obtaining knowledge in regard to the health of the people, and they are distributing information in all of the States of the Union.

We made large appropriations for the printing of information which they are obtaining, not only upon tuberculosis but upon hygiene, upon sanitation, and upon all those questions which affect the health and welfare of the public. Manifestly those who administer this bill ought to be conversant with medical matters. Is there anybody in the Children's Bureau who is particularly qualified for the administration of the bill? I make no charge of incompetency, but it seems to me that the work of the Children's Bureau is along an entirely different line from the work which this bill requires to be performed.

I am not sure as to the number of men in the medical department, but my recollection is now that there are three or four thousand competent physicians and surgeons. We find them in every State and almost all of the large cities of the United States. There are hospitals of the Government in a large number of the States. More hospitals will be erected, and large appropriations will be made for the erection of additional hospitals.

I repeat, Mr. President, that if it is competency that is desired, and the efficient administration of this law is sought, then we should place the administration of it in the hands of men who are familiar with the subject. I have heard no argument, and I have listened hoping that I might, which would justify the Senate in concluding that the Children's Bureau was the proper governmental instrumentality for the administration of this act.

I sincerely hope, Mr. President, that the amendment which I have offered will be agreed to.

Mr. SMITH of Georgia. Mr. President, will the Senator read his amendment?

Mr. HARRISON. Mr. President—

Mr. KING. If the Senator will pardon me, the bill as it has been offered creates a Federal board of maternal and infant hygiene, and the amendment of the senior Senator from Utah [Mr. Smoot] strikes out that section and provides that the Children's Bureau shall administer this act. Section 3 of the amendment offered by the senior Senator from Utah provides that the Chief of the Children's Bureau of the Department of Labor shall be charged with the carrying out of the provisions of this act. The amendment which I have offered provides that the United States Public Health Service shall be charged with the responsibility of executing it, and if the Senator will pardon me, further on in the bill there is a provision that the United States Public Health Service shall be called upon in a sort of consultative way to aid in the administration of the act, thus recognizing that the Children's Bureau is incompetent to administer the act without the advice of the Public Health Service.

If the Public Health Service is called upon to give advice and is consulted in an advisory way, why should it not have the entire administration of the act? It certainly would make for economy and efficiency.

Mr. SMITH of Georgia. Then, as I understand it, the idea of the Senator from Utah is that any work of this kind should be by a bureau under the Public Health Service?

Mr. KING. I would not create a bureau, but devolve the work upon the Public Health Service.

Mr. SMITH of Georgia. If it needs a bureau, there ought to be one created there?

Mr. KING. Yes.

Mr. SMITH of Georgia. And it should be managed and directed by the Public Health organization.

Mr. KING. Yes.

Mr. SMITH of Georgia. With its corps of officers all over the United States?

Mr. KING. Exactly.

Mr. SMITH of Georgia. With its hospitals already distributed in many places in the United States?

Mr. KING. Exactly.

Mr. SMITH of Georgia. And with men who really know something about it?

Mr. HARRISON. Mr. President—

Mr. KING. Yes. My idea is if this measure is for the benefit of the people, for mothers and for children, then the administration of it ought to be placed with those who are most competent to deal with hospitals, maternity cases, hygiene, sanitation, and the questions of public health.

Mr. HARRISON. I merely rose to suggest to the Senator that perhaps he, as I am informed, has fallen into an inaccuracy, as I did in my remarks, and I want to say that I thoroughly agree with the conclusion the Senator has expressed. I stated, and so did the Senator state, that there were no doctors in the Children's Bureau, no branch in that bureau which could function under this bill. I am advised that they have a branch in the Children's Bureau with five doctors in it who have been giving out instruction in hygiene. I merely make that statement out of fairness to the bureau, as I have just been advised of that fact.

Mr. KING. May I ask the Senator where the authority was for the creation of a medical bureau or subbureau or attachment to the Children's Bureau.

Mr. HARRISON. Where the information comes from?

Mr. KING. No; where is the authority for the creation of such an organization?

Mr. HARRISON. I do not know.

Mr. SMITH of Georgia. On the part of those people in the bureau?

Mr. HARRISON. I do not know.

Mr. KING. Where is the legal authority?

Mr. HARRISON. I do not know. I merely made the statement because I had made the statement that there were no doctors in the Children's Bureau, and the Senator has, too.

Mr. KING. I want to say to the Senator that there is warrant for the belief that if the bureau thought that by organizing a subbureau it could extend its authority and perpetuate its power and increase appropriations by Congress, it would create, without authority, such an organization; it would merely be following the example set by other bureaus and organizations of the Federal Government.

Mr. SMITH of Georgia. I wish to ask the Senator from Utah a question, and I would be glad if he would yield.

Mr. KING. I yield.

Mr. SMITH of Georgia. I want to know, even if there are five doctors connected with the Children's Bureau, whether it would not perhaps be wise to transfer those five to the Public Health Service and develop what we do where we already have a magnificent corps of trained men at work? Is it not true that our Public Health Service has been one of the most effective in the Government, and that much splendid work has been done by it; that we have hospitals and physicians now connected with that bureau in all the States; and that to a large extent wherever they go they enjoy the confidence of the communities in which they work, and we are frequently having urgent requests that they be not moved from one place to another? Having this splendid organization to start with, is it not clear that we have the background of this work and ought to develop it, if we are going to do anything further along this line; and also ought we not to transfer those five doctors from the Children's Bureau, if they are there, to the Public Health Service?

Mr. KING. I thank the Senator from Georgia for the information which he has furnished the Senate and for the suggestion which he has made. Obviously, Mr. President, that course should be pursued. But it is clear that this bureau is entering upon the same pernicious course that has been followed by so many other Federal agencies. Here was the Children's Bureau, created presumably for certain purposes, certainly not for the purpose of establishing a subordinate branch of the Public Health Service, and yet, before it has functioned very long, a medical organization or attachment to the bureau has been created, and, as the Senator from Mississippi [Mr. HARRISON] has stated, from information just conveyed to him, it has five doctors in that department.

So, Mr. President, that bureau now has a medical attachment, and other bureaus of the Government have medical and public-health attachments and subbureaus and Federal agencies and instrumentalities. Instead of combining into one proper organization all agencies and instrumentalities connected with the public health we have a large number of them.

Mr. HARRISON. Mr. President—

Mr. KING. It was stated by my colleague at the last session of Congress that there were some 15 or 20, as I recall, health bureaus or services under the control of the Federal Government, many of them paralleling the work of other like organizations. I am glad to know that the joint resolution which was agreed to by this body has been agreed to by the House, and that a committee will soon be appointed for the purpose of revising existing statutes and coordinating the Federal agencies of the Government, and bringing into proper relation the various bureaus and Federal activities of the Government. The duplication of governmental agencies is indefensible and costs millions of dollars annually. I noticed that a distinguished Congressman from Nebraska and others have predicted that it will save a million dollars a day if that idea shall be carried out. I wish such predictions could be realized. Doubtless there could be great saving, because the duplication in the departments of the Government is appalling. No business organization could save itself from the bankruptcy court one year if it followed the business methods of the United States Government, and Senators have voted for years to perpetuate these organizations which duplicate and parallel the work of each other. It is about time that we should use—I was about to employ the expression "common sense." It is not presumed that will be done in legislative bodies. But, at any rate, we should try to conserve the interests of the Treasury, and cut appropriations wherever it is possible, bring the activities of the Government under proper regulation and coordinate them wherever it is possible to be done.

Mr. HARRISON. Mr. President, touching the doctors in the Children's Bureau, I have no doubt that the persons the bureau has employed are employed to discharge duties affecting child welfare and hygiene, along that line. I do not know how wonderful the doctors are or anything about them, but I am sure they are thoroughly qualified to do their work.

Mr. KING. I hope the Senator does not think from anything I have said that I was disparaging their ability. I will assume that they are very able doctors, perhaps the ablest doctors who could be found in the United States. But, conceding that, it only supports the argument suggested by the Senator from Georgia that they should be transferred to the Public Health Service, where their invaluable services and their superior ability would afford them a larger field for operations.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the junior Senator from Utah [Mr. KING] to the amendment offered by the senior Senator from Utah [Mr. SMITH].

Mr. FRANCE. Mr. President, I hope the amendment to the amendment will not prevail.

Mr. KING. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I have a general pair with the Senator from Maryland [Mr. SMITH], who is absent. I do not know how he would vote on this question. Therefore I withhold my vote.

The PRESIDING OFFICER (when Mr. HENDERSON's name was called). I have a general pair with the junior Senator from Illinois [Mr. McCORMICK], which I transfer to the junior Senator from New Mexico [Mr. JONES] and vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL]. I am informed that he is in favor of this legislation. So I feel at liberty to vote. On the pending amendment I vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. In his absence I withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. If he were present he would vote "yea" and I would vote "nay." In his absence I withhold my vote.

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. Not knowing how he would vote, I withhold my vote.

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG]. I transfer that pair to the Senator from California [Mr. PHELAN] and vote "nay."

Mr. SMITH of Georgia (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LONGE]. I transfer that pair to the junior Senator from South Carolina [Mr. DIAL] and vote "yea."

Mr. HEFLIN (when Mr. UNDERWOOD's name was called). My colleague [Mr. UNDERWOOD] is detained on account of serious illness in his family. He has a general pair with the junior Senator from Ohio [Mr. HARDING].

The roll call was concluded.

Mr. CURTIS. On this vote the Senator from New Jersey [Mr. EDGE] is paired with the Senator from Oklahoma [Mr. OWEN], and the Senator from Illinois [Mr. SHERMAN] is paired with the Senator from Virginia [Mr. GLASS].

Mr. HARRISON. The senior Senator from Mississippi [Mr. WILLIAMS] is unavoidably absent. He has a general pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is also absent.

Mr. HARRIS. I have a general pair with the junior Senator from New York [Mr. CALDER]. I do not know how he would vote on the question and I therefore withhold my vote.

Mr. GERRY. I desire to announce the absence of the Senator from Arizona [Mr. ASHURST], who is unavoidably detained, and of the Senator from South Dakota [Mr. JOHNSON], who is absent on account of illness.

Mr. CHAMBERLAIN. I have a pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I transfer my pair to the junior Senator from Arizona [Mr. ASHURST] and vote "nay."

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and vote "nay."

Mr. MYERS (after having voted in the affirmative). The Senator from Connecticut [Mr. MCLEAN] with whom I have a general pair is absent. I transfer my pair to the Senator from Arizona [Mr. SMITH] and let my vote stand.

The result was announced—yeas 6, nays 47, as follows:

YEAS—6.			
Harrison King	McCumber Myers	Smith, Ga.	Thomas
NAYS—47.			
Ball	Gerry	La Follette	Simmons
Beckham	Gore	McKellar	Smith, S. C.
Borah	Gronna	McNary	Spencer
Brandeggee	Hale	New	Stanley
Capper	Heflin	Norris	Sterling
Chamberlain	Henderson	Nugent	Sutherland
Colt	Hitchcock	Phipps	Trammell
Curtis	Johnson, Calif.	Pittman	Walsh, Mass.
Fernald	Kendrick	Poinderer	Walsh, Mont.
Fletcher	Kenyon	Ransdell	Watson
France	Keyes	Robinson	Wolcott
Frelinghuysen	Kirby	Sheppard	
NOT VOTING—43.			
Ashurst	Harding	Moses	Shields
Calder	Harris	Nelson	Smith, Ariz.
Culberson	Johnson, S. Dak.	Newberry	Smith, Md.
Cummins	Jones, N. Mex.	Overman	Smoot
Dial	Jones, Wash.	Owen	Swanson
Dillingham	Kellogg	Page	Townsend
Edge	Knox	Penrose	Underwood
Elkins	Lenroot	Phelan	Wadsworth
Fall	Lodge	Pomerene	Warren
Gay	McCormick	Reed	Williams
Glass	McLean	Sherman	

So Mr. KING's amendment to Mr. SMOOT's amendment was rejected.

The PRESIDING OFFICER. The question now before the Senate is upon the amendment offered by the senior Senator from Utah [Mr. SMOOT].

Mr. KING. I would like to ask the Senator from Maryland [Mr. FRANCE] just the effect of the amendment offered by the senior Senator from Utah. Assuming that that prevails, to what extent does it change the bill as it came from the committee in its administrative features? The Senator from Georgia [Mr. SMITH] and myself are not in agreement upon that point.

Mr. FRANCE. Mr. President, under the bill as it came from the committee a new board was created for the administration of the provisions of the bill. That board was to be composed of the Secretary of Labor, the Surgeon General of the Public Health Service, and the Commissioner of Education.

Under the bill, as it will be amended, the Children's Bureau will have charge of the administration of the provisions of the bill. The Chief of the Children's Bureau, however, is authorized to appoint an advisory committee, composed of the Surgeon General of the Public Health Service, the Secretary of Agriculture, and the Commissioner of Education, on the theory that that would promote cooperation between these various agencies in the carrying out the provisions of the bill.

Mr. SMITH of Georgia. Is the Senator from Maryland in favor of that amendment?

Mr. FRANCE. Yes.

Mr. SMITH of Georgia. Does the Senator propose to turn this over to the head of that bureau and let that bureau create the board instead of the Congress creating it? I vastly prefer the bill as it came from the committee.

Mr. FRANCE. No; the administration will be carried on by the Children's Bureau, and the Chief of the Children's Bureau

will appoint the advisory committee, but the committee is named, of course, in the bill.

Mr. KING. May I inquire of the Senator from Maryland if the original bill in this respect shall be passed, which of these three agencies would have the administration of the provisions of the bill?

Mr. FRANCE. The Children's Bureau.

Mr. KING. Would that create a new bureau or utilize the machinery of existing governmental agencies?

Mr. FRANCE. Under the original bill the Chief of the Children's Bureau was to be the executive officer to carry out the provisions of the bill.

Mr. KING. And the man or the woman, whoever was at the head of the Children's Bureau, would be under the direction of the board?

Mr. FRANCE. Yes; under the direction of the board.

Mr. KING. Why would it not be better to have a board of the character described in the original bill and have the chief of the bureau under the board instead of having the board under the chief of the bureau?

Mr. FRANCE. Because that creates a new agency, whereas if the administration is charged to the Children's Bureau no new agency whatever is created. It seemed to us that it is better organization to use agencies already in existence rather than to create a new agency.

Mr. KING. I confess that I do not understand that the original bill created a new agency. There are three officials of the Government specifically named. The bill selects those three and empowers or directs that they shall employ a given agency of the Government through which to administer the bill. That does not create a new agency.

Mr. FRANCE. Of course, that is a matter of terminology. We were of the opinion that it was better organization, after considering the matter carefully, to have the Children's Bureau in charge of the work rather than to have an interdepartmental agency carrying on the work, cooperation with the other departments being secured by the appointment of this advisory committee. The change is not material, but I think it is beneficial.

Mr. SMITH of Georgia. Will this advisory committee have no authority to control the head of the Children's Bureau? Does the Senator propose to let the party at the head of the Children's Bureau do what that party may please regardless of the advice of the Surgeon General and the two members of the Cabinet who are allowed to advise but in no way to control? The Senator just turns it loose, then, with the privilege of the head of the Children's Bureau taking advice but with the privilege of running it as the head of that bureau sees fit. Would it not be vastly better and could we not feel more confidence in it and would not the country have more confidence in it if we would retain the bill as it originally provided, with two members of the Cabinet and the head of the department of health in control, with power to act and direct?

Mr. FRANCE. As a practical matter, I do not know that it makes any material difference. Under the original provisions of the bill the Chief of the Children's Bureau was to be the executive officer. I assume that under the amendment of the Senator from Utah the Chief of the Children's Bureau will still be the executive officer; but I do not anticipate that the Chief of the Children's Bureau would disregard the views of the advisory committee.

Mr. SMITH of Georgia. Would it not be advisable and better not to allow them to disregard it? Will not the situation be stronger if the authority is put into the hands of these three men? Then we shall have the benefit of the Surgeon General of the Public Health Service to direct and control rather than somebody who knows nothing about medicine and knows nothing about the subject, perhaps.

Mr. THOMAS. Will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. SMITH of Georgia. I yield.

Mr. THOMAS. Mr. President, the senior Senator from Utah [Mr. SMOOT] is not present. He explained the purpose that prompted him to offer the amendment; that purpose was acceptable to the Senator having charge of the bill; and I think he very properly consented to the amendment, so far as he could do so.

Fundamentally, the purpose of the amendment is to prevent the creation of another bureau, and in that particular I think it is commendable. The Children's Bureau was selected by the Senator from Utah because of the harmony between the work they are now doing and the purposes of the bill. A Federal board, composed of men who have their hands full, necessarily will have to perform their duties vicariously. We are loading the members of the Cabinet and many of the heads of divisions

and bureaus with all kinds of duties which it is impossible for them to perform for the very good reason that they have not time to perform them. As a consequence, they are obliged to delegate the authority.

The Children's Bureau, if I am correctly informed, is not so circumstanced. Hence, without increasing the expense, as we hope, which will attend the administration of this bureau, we shall get just as good if not better service. The appointment of an advisory committee in this instance, by means of which the members of the Children's Bureau may receive counsel and advice and information and help, will be like the appointment of other advisory committees.

The Federal reserve act creates an advisory board, drawing no salary and meeting at such times as the Federal Reserve Board may desire their services. Nobody suggested at the time of the passage of the act that we thereby created a bureau and placed it under the charge of some other bureau. I think under the circumstances, therefore, that the proposed amendment is far preferable to the purposes of the original bill, and I hope the amendment will be adopted.

Mr. KING. May I ask the Senator from Colorado a question?

Mr. THOMAS. Yes; though I do not know that I can answer it. The senior Senator from Utah, however, is now present. I will say to him that I have endeavored to explain the purposes for which he introduced his amendment.

Mr. SMOOT. I will say to the Senator from Colorado that I have had a meeting with Representative Goob, chairman of the Appropriations Committee of the other House. I just came in from that meeting and did not hear what the Senator said.

Mr. KING. I should like to say—

Mr. THOMAS. If the junior Senator from Utah will permit me, I desire to say that objection is made by the Senator from Georgia [Mr. SMITH] and I think by the junior Senator from Utah [Mr. KING] to the plan of administration of the bill under the amendment of the senior Senator from Utah, the Senator having charge of the bill having given the reasons why he accepted it. Those Senators are able to and they can explain their positions much better than can I.

Mr. KING. I asked the Senator from Maryland [Mr. FRANCE] what reason there was for accepting the amendment offered by the senior Senator from Utah [Mr. SMOOT] and modifying the bill as it originally came from the committee. The Senator from Colorado [Mr. THOMAS], who was defending the amendment of the Senator from Utah, stated that a reason for the amendment was that it avoided the creation of another bureau. I was about to ask the Senator from Colorado, when the senior Senator from Utah entered the Chamber, if he was not in error in assuming that the original bill created a new bureau.

Mr. SMOOT. No; I think, Mr. President, that it does, and I wanted to avoid that contingency.

Mr. SMITH of Georgia. Has the Senator from Utah considered the advisability of having a board administer these duties under the Children's Bureau, a board composed of the Surgeon General, the head of the Children's Bureau, and some one else?

Mr. SMOOT. I could not think for a moment that at this time we ought to go into the question of the reorganization of the Children's Bureau. The amendment provides that the Children's Bureau shall be aided by an advisory board or committee consisting of the Secretary of Agriculture, the Surgeon General of the United States Public Health Service, and the United States Commissioner of Education. They are a committee with which the Chief of the Children's Bureau shall consult in the direction of the activities of the bureau.

Mr. SMITH of Georgia. What seems so unsatisfactory to me is that it is proposed to trust this large sum of money and the administration of this great task to the head of the Children's Bureau. I merely feel that it is a very unwise thing to do and that we ought to have some kind of supervising organization, not simply an organization to advise but one with some authority.

Mr. SMOOT. The way the bill was drawn—

Mr. SMITH of Georgia. I do not mean to approve the bill as it was drawn. I was asking the Senator to consider some way by which we might have the benefit, at least, of the Surgeon General as one of a board to direct the Children's Bureau in the performance of its new responsibilities.

Mr. KING. As a directory board instead of a mere advisory board.

Mr. SMITH of Georgia. I do not think that the mere advisory part of it amounts to anything.

Mr. SMOOT. It certainly would not do, Mr. President, to have three heads of departments or bureaus in the Government act in a directory capacity, because of the fact that nobody would be responsible.

They would meet about once a month, or something like that. So I thought it would be very much better to have somebody

responsible, and then have the three officers of the Government to whom I have referred act in an advisory capacity. It looks to me as if we would get better results in that way than by following the other method. Not only that, but we would not build up here a new bureau or agency that would begin with the employment of as many clerks as those in some other bureau, no matter whether they were needed or not, and make a demand for additional space in the Government buildings, or else go out and rent buildings in the District of Columbia. What I had in view was to save expense as much as possible. That is why I desired the change made.

Mr. SMITH of Georgia. Mr. President, I appreciate the object the Senator had in view, but I suggest to him that this large sum of money that we are about to appropriate should be expended under the supervision of the most skilled board. During his absence I voted for an amendment to put the whole matter under the charge of the Public Health Service of the Government. I would not be afraid for it to go there without any other supervision, perhaps; but to put it under the Children's Bureau, which I had not thought had proceeded very far, is a different matter.

Mr. HITCHCOCK. Mr. President, if the Senator will permit me, I should like to suggest that the language be made to read: "The Children's Bureau shall have charge of all matters concerning the administration of this act, and shall have the power, under regulations of the Federal board," to do so and so; so that the Federal board may have the power to make regulations; but in the absence of them the Children's Bureau would go forward.

Mr. SMOOT. I doubt very much whether we would have responsibility then resting either with the Children's Bureau or with the Federal board.

Mr. HITCHCOCK. The Children's Bureau could undoubtedly go forward unless the board made regulations which restricted it, but when they made regulations of that sort, they would have effect.

I am moved to make that suggestion because I have just discovered in the report of the Secretary of the Treasury the fact that the Public Health Service is carrying on a work at the present time which somewhat overlaps the work which it is now proposed to place under the Children's Bureau.

Mr. SMOOT. Mr. President, we have known that fact. The Public Health Service now has, I think, according to testimony that was given before the Appropriations Committee, 42 agencies doing about the same work. If we add to the matters under their charge the work which is contemplated under the pending bill, then there will be a duplication of work the extent of which it will be difficult to tell.

Mr. SMITH of Georgia. Ought it not all be put under the Public Health Service? Is not that the place for it, and are they not already doing work along the same lines?

Mr. HITCHCOCK. I think not. I think the Public Health Service is already a jack-of-all-trades and has got too much work. It seems to me it would be wise to have the head of the Public Health Service on some committee which might co-ordinate the work.

Mr. SMOOT. The Surgeon General of the Public Health Service under the amendment I offer would have a place on the advisory committee, together with the United States Commissioner of Education and the Secretary of Agriculture.

Mr. HITCHCOCK. I think an advisory committee has not necessarily much power. It seems to me that the committee, composed of a Cabinet officer, the head of the Public Health Service, and the Commissioner of Education, should have really the authority to make regulations under which the Children's Bureau could carry on the work. I only suggest that as a modification of the Senator's amendment, which I am disposed to support.

Mr. SMOOT. The Public Health Service would have to be in close touch with the work as it progressed; in fact, it ought to have knowledge of what was required and what was being done or it could not make rules and regulations. If we are going to favor such a proposition, the best thing to do would be to put the new work under the Public Health Service direct, for some one will have to know what the work is daily, some one will have to know what the requirements are, some one will have to be responsible for that work, and I think that some one ought to be the Children's Bureau rather than the Public Health Service.

I said the other day that I thought the Public Health Service one of the most extravagant agencies of the Government. I am still of the same opinion, which is based on the appropriations that are made for and the estimates that are presented by that service, the demands that are made by it upon Congress, by the way in which it has grown, and by the duplication of work carried on by it. I hesitate to put more millions of

dollars under their control, but I am perfectly willing, if we are going to establish this new line of work, to have it carried on under the Children's Bureau, acting with an advisory committee consisting of the Secretary of Agriculture, the Surgeon General of the Public Health Service, and the United States Commissioner of Education.

Mr. KING. If I may, I desire to make a suggestion to my colleague. I know he is very much interested in consolidating the departments and bureaus and eliminating the frightful waste, extravagance, and duplication which characterize the executive departments. I am afraid the amendment of the Senator will create another medical department. We are advised by the Senator from Mississippi [Mr. HARRISON] that there are already five doctors, and I do not know how many subdoctors and nurses and medical advisers, attached to the Children's Bureau. Now, it is manifestly wrong to create another medical department of the Government.

Mr. ROBINSON. Mr. President, a parliamentary inquiry. Which Senator from Utah has the floor?

The PRESIDING OFFICER. The senior Senator from Utah.

Mr. KING. The senior Senator from Utah has the floor. I was inquiring of him as to the character of his amendment. I again suggest to my colleague that his amendment will carry into effect a policy which I know he is earnestly seeking to modify.

Mr. SMOOT. Mr. President, I want to be perfectly frank with the Senate, and say that I thought it would be very much better to have this legislation postponed until after the reorganization of the departments of our Government—I am speaking now personally—and I have said so to ladies who are deeply interested in this legislation; but they seemed to think that if it was not passed at this session it would hold it off for two years before the legislatures of the different States could act, and therefore they wanted it to pass even though after the reorganization of the Government takes place, if it does take place, the whole program will be changed.

Mr. McCUMBER. Mr. President, will the Senator allow me to suggest to him, and also to the Senator from Maryland [Mr. FRANCE], who is in charge of the bill, that we have been in constant session now for nearly six hours, and in all probability we shall not get a vote to-night unless we remain here an hour or two longer, and that it might be well to recess over until to-morrow and take up the matter at that time. Then this amendment can be thrashed out between the Senator having the bill in charge and other Senators.

Mr. FRANCE. Mr. President, I offer two amendments to be printed.

The amendments were ordered to lie on the table and to be printed, as follows:

On page 1, in line 3, strike out the word "annually," and after the word "appropriated," in the same line, insert the word "annually."

Page 2, line 14, strike out "1921" and insert "1922"; line 15, strike out "1922" and insert "1923"; line 17, strike out "1923" and insert "1924"; line 18, strike out "1924" and insert "1925"; line 19, strike out "1925" and insert "1926"; line 20, strike out "1926" and insert "1927."

Mr. FRANCE. I did hope we might have a vote on this bill this evening, so that we could adjourn over until Monday; but there seems to be very little probability of that.

Mr. KING. There are a number of amendments which I have to offer, and they will take considerable time.

RECESS.

Mr. FRANCE. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Saturday, December 18, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, December 17, 1920.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art supremely great, humbly and reverently we bow in Thy holy presence, we pray that we may be guided by Thy counsels through the changing scenes of this new congressional day that as individuals and collectively we may accomplish the highest good for ourselves and for the Nation we represent; that we may lie down at its close with a clear conscience and rest securely under the shadow of Thy protecting wings sanctified by the supreme thoughts of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

TREATMENT OF TUBERCULAR EX-SERVICE MEN.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to proceed for two minutes on the question of tubercular ex-service men being held, to their detriment, at Houston, Tex.

The SPEAKER. The gentleman from Texas asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, there is now in one of the Government hospitals at Houston, Tex., quite a number of tubercular patients. They are ex-service men. The greater number of them are from States outside of Texas. They are strangers to me; they have never been in my district, so far as I know; but they have been appealing—a number of them—to me to get them away from there. Houston is my birthplace. I know the conditions there. If you were to search the whole United States over, you could not find a climate or altitude more unfavorable for the treatment of tubercular patients than Houston. Upon the insistence of several of these ex-service men I have been able, during the last four months, to get only six of them transferred to Arizona and New Mexico. About a score or more of them are yet at Houston who have been clamoring for transfer. The Surgeon General of the Public Health Service asserts that he can not transfer them, because he has no more room at Fort Bayard, N. Mex. He seems to think that that is the only hospital to which he could transfer them. There is a hospital at Roswell, N. Mex., that has been especially fitted up as a tubercular hospital at an enormous expense. It does not happen to be a Government hospital, but these ex-service men could be transferred there immediately if the officials of the Public Health Bureau would see fit to do so. I think it is a shame and an infamous outrage for these men to be kept in that hospital at Houston to die when they could be transferred to another hospital. There is a hospital at San Angelo, Tex., and there are other hospitals on the Rio Grande border, in Arizona and New Mexico, and at other places to which they could be transferred.

The following is a copy of a letter I wrote December 1, 1920, and I wrote again on December 8 and December 10, insisting on the numerous ex-service men afflicted with tuberculosis held at Houston being removed from there:

WASHINGTON, D. C., December 1, 1920.

Gen. HUGH S. CUMMING,
Surgeon General, Bureau of the Public Health Service,
Washington, D. C.

MY DEAR GEN. CUMMING: I am herewith inclosing you a letter just received from Surg. John M. Holt, of the United States Public Health Service, Dallas, Tex., claiming he is unable to transfer Jas. D. Elliott (C-451325) from the hospital at Houston, Tex., to some of the hospitals in the Southwest, because they are filled to capacity. This young man, Elliott, is suffering from tuberculosis. During the past six months I have had a great deal of trouble in getting ex-service men suffering with tuberculosis transferred from the hospital at Houston, Tex. On numerous occasions I have called the attention of your department, and also that of Col. R. G. Cholmeley-Jones, to the fact that it is almost criminal on behalf of our Government to continue to keep ex-service men suffering with tuberculosis at Houston, Tex. I again assert that if you were to search the whole United States over you could not find a climate or location more unfavorable and disastrous to tubercular patients than at Houston, Tex. I was born there, and I know what I am talking about.

In this connection I desire to call your attention to the fact that during August or September of this year I had a voluminous correspondence with Col. Cholmeley-Jones, wherein I advised him that the Southwest Sanatorium, located at San Angelo, Tex., and the sanatorium conducted by Mrs. Morgan, of Roswell, N. Mex., had each gone to considerable expense in making preparations to care for such tubercular patients. On September 22, 1920, Col. Cholmeley-Jones wrote me a letter embracing the following:

"At the present time there are a great many available beds at Fort Bayard. This institution is considered by some of the best tuberculosis experts of this country to be a model institution for the care of patients suffering from this disease. The hospital itself is modern in every detail and fully equipped, and the climate is considered to be especially beneficial."

If this letter is true, why is it that our tubercular patients can not be moved from Houston, Tex.? I think that your department should take immediate steps to see that all ex-service men now suffering with tuberculosis are transferred at once from the hospital at Houston, Tex., to hospitals in the Southwest.

Very sincerely, yours,

THOMAS L. BLANTON.

I submit the last letter received, to wit:

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, December 14, 1920.

Hon. THOMAS L. BLANTON,
House of Representatives, Washington.

MY DEAR MR. BLANTON: I beg to acknowledge receipt of your letters dated December 8, 1920, and December 10, 1920, together with your letter dated December 6, 1920, addressed to the Director, Bureau of War Risk Insurance, and to advise that the medical officers charged with the responsibility of hospitalizing tubercular beneficiaries in Houston and other points in Texas have been instructed to utilize to the fullest extent all contract hospitals affording proper facilities for the care of tubercular patients, and that both the Southwest Sanatorium located at San Angelo, as well as the Morgan Sanatorium located at Roswell, N. Mex., are being utilized.

The service officers at Houston and Dallas are in close touch with all the institutions where beds can from time to time be secured, and